

atic testing against experience raises difficult problems of observation and analysis. So many variables are involved in even the simplest political process that their disentanglement to create a basis for reflection on the significance of particular factors in the whole complex often taxes both energy and ingenuity. Although voting returns report only limited observations of the electoral process, they are readily available for many jurisdictions over a long period of time. Nominations of state legislators, since there are many of them, provide data in sufficient quantity to permit the differentiation of nominations under many types of circumstances and the identification of variables associated with particular types of behavior.

I

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A first step toward an attack on the question of the relation between formal procedure and informal organization consists of an analysis of the utilization of the direct primary in state legislative nominations. That analysis will identify features of party behavior that exist under the primary system and raise the question whether they can be attributed to that system itself. In this description of the primary system its workings may be checked against a model that probably corresponds roughly to the broad expectations of early advocates of the primary. According to this model more or less spontaneous candidacies in the primaries would permit "the people," or more particularly the mass of the party, to choose between candidates. Thus, competition within each party would precede competition between candidates of opposing parties at the general election. In a perfectly balanced competitive situation each legislative district of a state would be characterized not only by competition at the general election but also by rivalry in each of the party primaries.³

A basic departure from the crude model consists in the variation among legislative districts in the degree to which they approach an even competition between parties. Although the form of the distribution varies from state to state and from time to time, districts range from those whose electorate is overwhelmingly committed to one party, through those that are closely divided, to those that are in high degree attached to the other party. Moreover, at individual elections the movement of districts from party to party tends to be largely in one direction. If the general shift of sentiment is to the Republicans, they capture districts that were Democratic by a narrow margin at the preceding elec-

³ Part I of this analysis largely follows Julius Turner's study of congressional primaries, "Primary Elections as the Alternative to Party Competition in 'Safe' Districts." *The Journal of Politics*, Vol. 15, pp. 197-210 (May, 1953).

tion, but they lose few if any districts they already held. Or a similar selective movement occurs in the other direction. Table I, which relates the 1946 election of the Missouri House of Representatives to that of 1948, illustrates this observation. In 1948 the Democrats lost no district they had carried in 1946; they gained mainly seats that Republicans had won by a relatively narrow margin in 1946.

This variation in the competitiveness of legislative districts, which is partially shown in Table I, turns out to be most useful in analysis of the workings of the primary. Instead of there being a couple of Republi-

TABLE I. PARTY FORTUNES IN LEGISLATIVE RACES IN RELATION TO VOTE AT PRECEDING ELECTION: REPUBLICAN AND DEMOCRATIC VICTORIES IN 1948 MISSOURI HOUSE ELECTIONS RELATED TO DISTRIBUTION OF LEGISLATIVE DISTRICTS ACCORDING TO DEMOCRATIC PERCENTAGE OF 1946 POPULAR VOTE

Per cent Democratic, 1946	Number of seats 1946 (1)	Democratic, 1948		Republican, 1948	
		Number (2)	Per cent (2) of (1)	Number (3)	Per cent (3) of (1)
0	14	2	14.3	12	85.7
10-29.9	13	0	0.0	13	100.0
30-34.9	8	1	12.5	7	87.5
35-39.9	21	7	33.3	14	66.7
40-44.9	20	11	55.0	9	45.0
45-49.9	23	19	82.6	4	17.4
50-99.9	39	39	100.0	0	0.0
100	16	16	100.0	0	0.0

cans who vie for their party's nomination and a pair of Democrats who contend for the right to oppose the Republican nominee, it turns out that a great many nominations go by default. The extent to which a party's nominations are contested in the primary by two or more aspirants apparently depends in large measure on the prospects for victory for the nominee in the general election. Uncontested nominations for legislative posts are almost the rule in those districts in which a party's cause seems hopeless, while a large proportion of nominations will be contested in relatively sure districts. A type situation is described by the graphs in Figure 1 which relate the proportions of nominations contested by two or more candidates in primaries for the Missouri House of Representatives to the division of the vote in the subsequent general election. The division of the district vote at the general election itself may be regarded, post facto, as a rough measure of expectations about the outcome of elections.⁴

⁴ The combination of five primaries in Figure 1 smoothes the curve but the funda-

Although the increase in the incidence of primary competition as the prospects for party victory improve, demonstrated by Figure 1, probably recurs from state to state, the proportion of all nominations contested varies from state to state with a variety of factors. Table II, with its data on Indiana's 1948 primary, indicates that in Indiana, as in Missouri, the greatest propensity to compete for a party's nominations occurs in those districts in which the nominees have the greatest assurance of victory in the general election. The table also reveals a considerably higher incidence of competition—with general election strength held constant—in Indiana than in Missouri. That difference doubtless

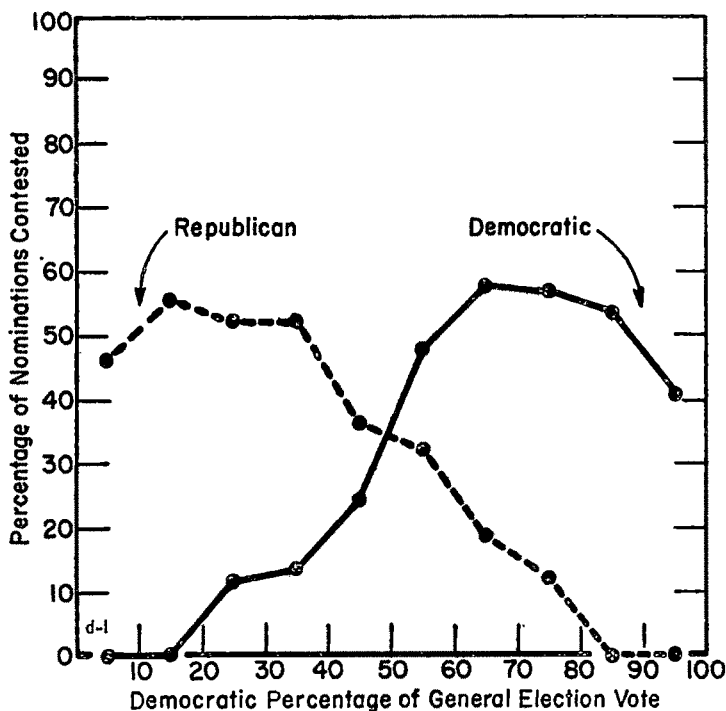


FIG. 1. Primary Competition and the Prospects for General Election Victory: Relation between Proportion of Nominations Contested and Percentage of General Election Vote Polled by Republican and Democratic Nominees for Missouri House of Representatives, 1942-1950.

damental relation shown appears at each election. Throughout, the combination of primaries usually smoothes a curve or pictures a more regular set of relations than appears from the data of a single primary. This effect is most marked in the cells of very small numbers. Enlargement of the sample by the cumulation of data on several primaries would probably iron out most of the irregularities that appear in cells of small numbers in some of the tables that follow. In the choice of data for presentation for illustrative purposes somewhat irregular tabulations were often used lest an exaggerated impression of the uniformity of the correlations be conveyed.

TABLE II. PRIMARY CONTESTS IN RELATION TO GENERAL ELECTION VOTE: PROPORTIONS OF DEMOCRATIC AND REPUBLICAN LEGISLATIVE NOMINATIONS CONTESTED, INDIANA, 1948 IN RELATION TO 1948 GENERAL ELECTION VOTE IN LEGISLATIVE DISTRICTS

Nominees' General Election Percentage	Democratic		Republican	
	Number of Nominations ^a	Per cent Contested	Number of Nominations	Per cent Contested
Under 40	3	0.0	9	44.4
40-44.9	14	7.1	21	61.9
45-49.9	18	33.3	30	76.7
50-54.9	30	76.7	18	66.7
55-59.9	20	85.0	13	84.6
60 and over	11	81.8	8	87.5

^a Included are those nominations made by party committee rather than by primary. Such nominations are in effect classified in the percentage computations as uncontested.

points to basic differences in the political structures of the two states, one of which is that a larger proportion of the Indiana districts is closely contested. Table II incidentally suggests some of the limits of the actual vote as a measure of the expectation of victory; note that the Republicans competed for nominations to a large proportion of those seats which they lost by a small margin, perhaps in part a reflection of the rosiness of Republican expectations before the 1948 upset.⁵

The high degree of association between primary competition and the prospect for general election victory points to another deviation from our crude model. Instead of lively competition in all primaries of both parties, the prediction now would be that simultaneous contests for both nominations would occur chiefly in those districts regarded as more or less evenly balanced between the two parties at the general election. In districts thought to be relatively safe for either party, competition for nominations would tend to be restricted to the primary of the dominant party. These expectations are on the whole fulfilled by the data of Table III relating to the Indiana primaries of 1948 and 1950.⁶ While the distribution in the table indicates that factors other than the estimate of the chances for victory may induce competition, save for an erratic exception consisting of a cell of small numbers simultaneous competition in both primaries tended to be most common in relatively

⁵ For relevant comments on Indiana experience, see Charles S. Hyneman, "Tenure and Turnover of the Indiana General Assembly," this REVIEW, Vol. 32, pp. 51-67, 311-31 (Feb., April, 1938).

⁶ The Missouri primaries of 1948 and 1950 parallel this expectation more closely than do the primaries analyzed in Table III.

TABLE III. PRIMARY CONTESTS ACCORDING TO PARTY PRIMARY IN WHICH THEY OCCURRED: CONTESTS FOR NOMINATIONS FOR INDIANA HOUSE OF REPRESENTATIVES, SINGLE-MEMBER DISTRICTS, 1948-1950, ACCORDING TO GENERAL ELECTION VOTE FOR NOMINEES

Democratic Percentage General Election	Districts	Per Cent of Nominations Contested in			
		Both Primaries	Neither Primary	Democratic Only	Republican Only
0	5	0.0	0.0	0.0	100.0
30-34.9	5	0.0	0.0	0.0	100.0
35-39.9	11	9.1	36.4	0.0	54.5
40-44.0	29	24.1	31.0	3.4	41.4
45-49.9	33	15.1	33.3	6.1	45.4
50-54.9	30	36.6	23.3	26.7	13.3
55-59.9	13	15.4	23.1	53.8	7.7
60-64	4	75.0	0.0	0.0	25.0
100	2	0.0	0.0	100.0	0.0

close districts.⁷ The data of Table III clearly point to the tendency for primary competition in safe districts to be limited to the primaries of the dominant party.⁸

While the preceding analyses account for a considerable part of the variation among districts in competition for party nomination, they also leave some of the variation unexplained. Factors other than prospects for victory also induce or discourage competition in primaries. The supposition that "one good term deserves another" suggests a test of whether primaries in which incumbents seek renomination are less likely to be contested than are those in which no incumbent is in the race, with prospects for party victory held constant. A test of the hypothesis appears in Figure 2 which records an analysis of the primaries of both parties in Missouri for the years 1946, 1948, and 1950. A less extensive collection of Ohio data is analyzed in Table IV. The data of Figure 2 and Table IV indicate that, at least in the safe districts as we have defined them, primaries in which incumbents seek renomination are less likely to involve competition than are those in which no incumbent is running. The Missouri data, however, reveal a higher rate of competition for incumbents in the lower ranges of party strength than in

⁷ Some of the irregularities of the distribution in Table III would probably be ironed out if there were a better measure of expectation of general election outcome than the vote itself.

⁸ If the argument may be anticipated, the pattern here points toward our main problem. A situation in which competition prevails in both primaries and the general election may represent equilibrium most difficult to maintain. Does such a state of affairs represent so unstable an equilibrium that over the long run it tends to be destroyed by a movement of decision and voter interest to one or the other party primaries?

primaries involving no incumbents in districts similar in party strength at the general election. Districts in which the incumbents' party polled but 30 to 40 per cent of the general election vote obviously underwent a wide swing in popular vote from the preceding election and probably differed in some important respects from those in which the party had no incumbent but polled the same small vote at the general election. A better measure of expectation of party victory in the two types of districts would probably remove the discrepancy from the data in these lower ranges.⁹

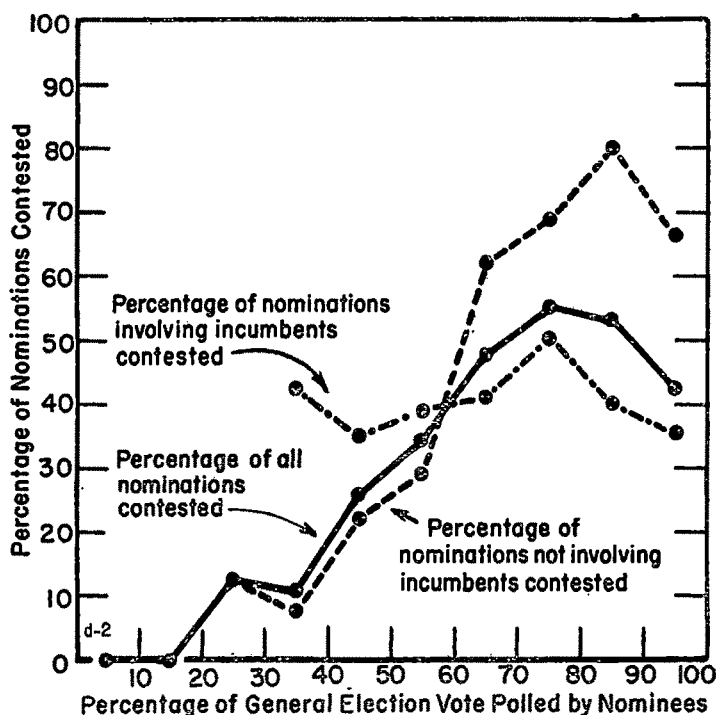


FIG. 2. Incumbents and Primary Competition: Competition in Primaries Involving Incumbents and in Primaries Involving No Incumbents with Comparable Prospects of General Election Victory, Missouri House of Representatives, 1946-1950.

While a larger sample would probably reveal more regular relations than those in Table IV, examination of the data for other states suggests

⁹ The percentage in the incumbent curve in Figure 2 for the general election range of 30 to 40 per cent is based on only seven cases. All were in Republican primaries and six fell in 1948 when all the contests occurred. The chances are that the rout of the Democrats in 1946 resulted in the candidacy of Republican incumbents from traditionally Democratic districts in the 1948 primaries when the bleak Democratic prospects gave rise to rosy estimates of the Republican chances of holding districts they had won in 1946. See the analysis of the 1946-1948 shift in Table I.

TABLE IV. INCUMBENCY AND COMPETITION FOR LEGISLATIVE NOMINATIONS: PROPORTION OF OHIO HOUSE REPUBLICAN PRIMARIES IN SINGLE MEMBER DISTRICTS CONTESTED IN 1948, WHEN INCUMBENTS INVOLVED AND NOT INVOLVED

Republican Percentage General Election, 1948	Primary Involving			
	Incumbents		No Incumbents	
	Nomina- tions	Per cent Contested	Nomina- tions	Per cent Contested
30-39	2	100.0	3	0.0
40-49	10	20.0	5	80.0
50-59	19	47.4	6	83.3
60-69	6	50.0	0	0.0
70-79	2	0.0	0	0.0
100	20	40.0	3	66.6
Total	59	40.7	17	64.7

caution in the ascription of uniform significance to incumbency in relation to primary competition. The extent to which incumbents seek renomination and the customary public attitudes about the candidacies of incumbents no doubt differ from state to state and even from locality to locality. In any case in the data presented "incumbency" probably masks a more inclusive type of relation between the aspirant for nomination and his constituency and perhaps between him and other potential candidates. There may be a common denominator or denominators between uncontested incumbents and uncontested non-incumbents.

While several factors associated with primary competition have been identified other variables doubtless exist. Demographic characteristics of districts may be more or less conducive to primary competition, and, indeed, to political competition generally. Rural districts may, for example, be less given to political commotion than highly urbanized ones.¹⁰ A test of this supposition appears in Table V. That table compares rates of competition in urban and rural districts in Missouri primaries involving no incumbents, and thereby excludes from the comparison differences associated with incumbency. A sharp difference may be seen to exist in the proportions of such primaries contested in districts under 50 per cent urban and in those over 50 per cent urban, with the more placid politics in the rural districts.

A telescoped table such as Table V, with its broad categories, is rightly suspect. A further test of the ruralism-urbanism relation is provided by

¹⁰ On this point, see Key, "Partisanship and County Office: The Case of Ohio," this REVIEW, Vol. 47, pp. 525-32 (June, 1953); *A Primer of Statistics for Political Scientists* (New York, 1954), Ch. 5.

TABLE V. URBANISM AND CONTESTS IN PRIMARIES INVOLVING NO INCUMBENTS: DEMOCRATIC PRIMARIES TO NOMINATE FOR MISSOURI HOUSE OF REPRESENTATIVES, 1948

Democratic Percentage in General Election	Nominations in Districts				Total	
	Under 50 % Urban		Over 50 % Urban			
	Number	% Con- tested	Number	% Con- tested	Number	% Con- tested
	Under 50	33	3.0	7	28.5	40
Over 50	28	17.8	25	56.0	53	35.8
Total	61	9.8	32	50.0	93	22.6

the more detailed breakdown for the Ohio Republican and Democratic primaries of 1948 which appears in Table VI. That table exhibits some irregularities which would probably disappear by the analysis of a larger number of cases, but generally, within similar ranges of party strength, a higher incidence of primary competition occurs in the more urbanized districts.¹¹ A lingering doubt remains about the nature of the

TABLE VI. URBANISM AND CONTESTS IN PRIMARIES: CONTESTS IN OHIO REPUBLICAN AND DEMOCRATIC PRIMARIES TO NOMINATE FOR STATE HOUSE OF REPRESENTATIVES, 1948, IN RELATION TO NOMINEES' STRENGTH IN GENERAL ELECTION AND TO URBANISM OF DISTRICT*

Nominees' General Election Percentage of District Vote	Nominations in Districts				Total	
	Under 50% Urban		Over 50% Urban		Number	Per cent Contested
	Number	Per cent Contested	Number	Per cent Contested		
25-29	2	0.0	0		2	0.0
30-39	8	25.0	8	50.0	16	37.5
40-49	26	15.4	66	66.7	92	52.2
50-59	26	40.6	67	73.1	93	68.8
60-69	8	50.0	7	42.9	15	46.7
70-74	2	0.0	0		2	0.0
100	21	33.3	4	75.0	25	40.0

* In counties electing two or more members at large, nominations were regarded as uncontested to the extent that the number of aspirants for nomination was less than twice the number of nominations to be made. In the computation of the percentage of the two-party general election vote for candidates in such counties a base was obtained by addition of the vote of a winning candidate to the vote of the highest losing candidate of the opposite party.

¹¹ An element that may influence urban rates in Ohio is the practice of electing many legislators at large from the metropolitan counties. This practice seems to be, at least in such areas, conducive to a multiplicity of candidacies for nomination.

association between urbanism and competition. It seems clear that the relation between urban population percentage and propensity to compete is not linear.¹² Moreover, metropolitan political systems in which no competition occurs in primaries are common enough. The multiplicity of centers of power and of aspiration in highly urbanized areas may, however, require the application of greater effort, ingenuity, and resources to monopolize party position than in otherwise comparable but predominantly rural areas.¹³

A final question about the incidence of competition for nomination needs to be raised. The preceding analyses have compared different districts at one primary. The fact that electoral decision is actually pushed back in many instances to the uncontested majority primary may lead to the conclusion that many such districts rarely have genuine political competition, whereas in an earlier day in every district candidates of the parties regularly did battle in the general election. Perhaps what occurs is that with the decay of party institutions whose reason for being is to do battle every two years, competition tends to occur less frequently than the two-year election interval. When an incumbent retires, when an issue happens to divide the community, or when the body politic undergoes disturbance for one reason or another, a contest will develop in the primary. Such events do not occur with the regularity of elections. To test these notions the history of individual districts must be traced through several primaries. Figure 3 records an analysis of individual Missouri districts through the three Republican primaries of 1946, 1948, and 1950. Those districts were identified in which at least one contest occurred in the three primaries as well as those in which at least one "close" contest took place. On the assumption that the incidence of these conditions would vary with party strength, the districts were grouped according to their Republican percentage in the legislative race in the general election of 1948.

¹² The absence of competition seems most noticeable at the extreme of ruralism. Thomas Page, in commenting on the low temperature of competition in rural Kansas districts, observes: "The cold statistics hint that a subtle, informal, and highly personal process of co-optation often goes on in the smallest legislative districts. This leaves no important role for the formal election but the registration of the previously implicit consent." See the suggestive analysis in his *Legislative Apportionment in Kansas* (Lawrence, Kansas, 1952), Ch. 4.

¹³ These remarks make relevant an exception to the theoretical proposition about the fixation of political practices and structures by social and demographic characteristics. When one pores over data, such as that processed for this article, he sees, for example, pairs of metropolitan counties with fairly stable and radical differences in political practice. Such contrasts suggest that political practices, developed through the application of human effort and hardened by custom, may exist independently of demographic and social determinants.

When the districts are followed through these three primaries, as may be seen from Figure 3, a much higher proportion of the districts have primary contests in at least one of the primaries than in a single year. Yet the relation between party strength and the incidence of primary competition emerges even more sharply than in the earlier analyses. All this suggests that such factors as urbanism and incumbency may affect

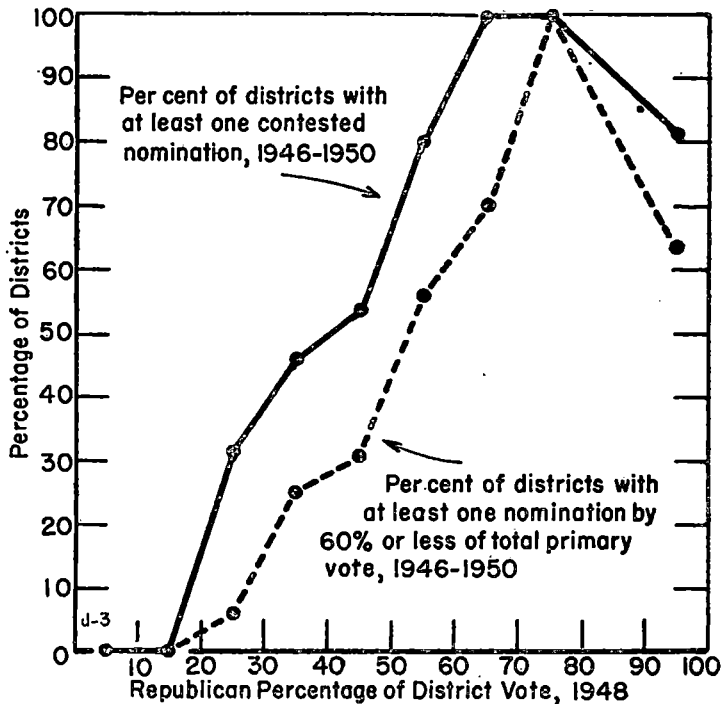


FIG. 3. Incidence of Competition in Three Successive Primaries: Proportion of Districts with Republican Nominations for Missouri House of Representatives Contested at Least Once in Primaries of 1946, 1948, and 1950, and Proportions Contested Closely at Least Once, Related to Republican Percentage of District General Election Vote, 1948.

the frequency of primary competition but that in the long run the incidence of primary competition is a function chiefly of the prospects for victory in the general election.¹⁴

¹⁴ No entirely satisfactory explanation suggests itself for the sharp fall-off in primary competition in the high ranges of party strength which remains even in the analysis reported in Figure 3, although ruralism seems to be relevant. In the 1948 Missouri general election 34.5 per cent of the completely rural House districts went without contest; 20.3 per cent of the other districts up to 50 per cent urban, and only 6.7 per cent of the districts over 50 per cent urban went without party competition. Of the seats Republicans won by default, 95.2 per cent were from districts under 50 per cent urban, while the comparable figure for the Democrats was 83.3. The horrid thought has been suggested that districts

If Figure 3 is viewed from a different angle, it throws light on another question. From Figure 1 and other similar analyses based on individual primaries the conclusion might follow that among the sure districts for each party there were many in which the "organization" was so strong that no aspirant dared challenge its man in the primary while in many others the "organization" was so weak that a primary fight occurred. An analysis of several primaries in sequence, as that of Figure 3, indicates that in most of the safe districts the "organization" either is not strong enough to prevent occasional serious challenge or makes use of the primary to settle its internal disputes. Attention to the time aspect of the matter, at least in this instance, modifies the inference of "organization" invincibility that might be drawn from the absence of contest in a considerable number of districts at a single primary.

II

The salient fact that emerges from all this is that competition for popular primary endorsement is concentrated in the districts relatively sure for one party. This association between primary competition and expectation of party victory appears to outweigh other factors that bear on the incidence of competition in the nominating process. The primary procedure, to a varying extent, transfers popular decision from the general election to the primary of the party that has the advantage in voting strength in the district.

These findings return us to the broad problem stated at the outset, viz., whether the primary, by changing the rules of the game, has had consequences for the informal organization of party and of power-seeking activity generally. Does the channeling of actual decision into the primary of the stronger party, by its impact election after election over a considerable period, alter the role and structure of the inner party cliques within the legislative districts; attract voter interest to the primary of the party with the advantage in the general election; tend to bring to the ranks of the stronger party the politically ambitious; and perhaps lead to the atrophy of the informal district leadership once vested with the function of putting forward minority candidates?

While the location of the variations in incidence of primary competition provides material for discussion of such questions, their systematic

that go by default may be controlled by so effective an organization that the certainty of being counted out discourages competition both in the machine party primary and from the opposite party. Undoubtedly such situations are concealed within the aggregate figures, yet for this factor to take on importance for the main argument that follows it would have to be assumed that this type of machine control has become more widespread over the past half-century, an assumption contrary at least to common supposition.

testing encounters most difficult problems of analysis, quite apart from the problem of obtaining relevant data. If consequences for informal practices flow from the primary, the chances are that they accumulate so gradually that they would be beyond capture by field observation unless it were prolonged for a generation. Yet some inferences may be drawn from the elections data.

The "machine" is said to control nominations as always save that it acts through the primary rather than the convention. Even the data presented to this point compel modification of that view at least with respect to the types of nomination under examination. Consider in particular Figure 3, especially as it describes the incidence and nature of primary competition in districts where the expectation of general election victory for the party is high. If in most such districts a close primary contest occurs at frequent intervals, the position and role of the "machine" or inner party clique in the district must have been radically altered by the forces loosed and the opportunities created by the primary procedure. Such an interpretation rests on assumptions about the power of the inner clique in settling nominations in pre-primary days. Even, however, if it should be supposed that the "machine" wins every close primary contest, the fact remains that it is frequently seriously challenged. If appropriate pre-primary information could be had, the chances are that it would point to a trend toward a weakening of political leadership within the stronger party in the districts, and to at least a net decline in cohesion of the inner core of the stronger party, with, of course, local exceptions.

If the attention of voters and the efforts of aspirants to leadership roles tend to be attracted to the primary of the majority party in legislative districts, the forecast would be that over time a larger proportion of districts would become "sure" districts. In a state in which districts were more or less normally distributed (i.e., a frequency distribution of districts according to party division of the general election popular vote assumed roughly the form of the normal curve of error), relatively more districts would become sure for both Democrats and Republicans. In a state with a skewed distribution of legislative districts, the proportion of sure districts would increase for whichever party had the advantage in safe districts at the outset. In either case the proportion of districts genuinely competitive between the parties would decline. The effects of these tendencies would be perceptible, of course, only in the absence of countervailing forces.

A test of these propositions appears in Figure 4, which compares the distribution of Missouri House districts according to the percentage di-

vision of the two-party vote in 1908, the first year of operation under the direct primary law, and in 1946, 1948, and 1950 combined. Observe that the distribution of districts became more widely dispersed between 1908 and 1950. At one end of the scale Republicans came to win, usually without contest, a block of seats; at the other end of the scale, the number of seats that went to the Democrats by default increased. The proportion of districts clustered about the 50-50 point declined. Whether

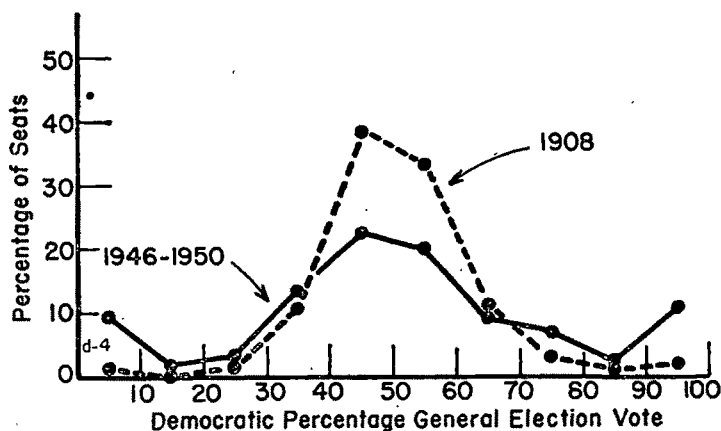


FIG. 4. Pre-Primary and Post-Primary Contrasts: Distribution of Missouri House Districts, 1908 and 1946-48-50 Combined, According to Percentage Division of District General Election Vote on Representatives.

or not the direct primary was the cause of it all, a point to be weighed shortly, a sharp change occurred in the district distribution in the period 1908-1950.

A word needs to be said about the rationale for the comparison of two distributions so far separated in time. The assumption is that informal habits of political action—the activity of organizational cliques, the loyalty of electors to party symbols, and so forth—are altered only gradually, if at all, by such matters as primary procedures. Patterns of political action have a very considerable durability. If this is true, the effects of the direct primary procedure on political practice become visible only after a political generation or so, not after an election or two. It is, of course, perilous to assume that the two distributions at 1908 and 1946-50 represent observations of two points in a long-term, straight-line trend. Such examination as was made of the intervening period suggests that the change represented by Figure 4 is secular.¹⁵

¹⁵ The difference between the two Missouri distributions is accounted for in large measure by the growth in the number of seats uncontested at the general election. From 1908 to 1916 between 2 and 4 per cent of the House seats went by default at each election.

The broadened dispersion of Missouri districts between 1908 and 1948 shown in Figure 4 flows principally from the failure of parties to put forward candidates in some districts. Nevertheless, a check ought to be made to determine whether a tendency exists for voters to desert their party on local candidates in order, as the saying goes, "to have a voice in local affairs." Some voters thus might register in the dominant local party, participate in its primaries, vote for the local candidate in the general election, yet remain loyal to the state and national ticket of the opposite party. If such a tendency prevails, in weak Democratic districts the Democratic legislative candidate would run behind the presidential or gubernatorial candidate; in strong Democratic districts the Democratic legislative candidate would run ahead of the presidential or gubernatorial candidate. These disparities would presumably be most marked in states using the office-bloc ballot.

To test these questions the analysis of the 1948 Massachusetts primary in Table VII was made. No uniform tendency appears for the voters to behave according to the hypotheses stated. The Massachusetts data, however, may not adequately test the question, for the relations in the table undoubtedly are influenced by factors other than the two variables whose relationship is in question and the cases are few. A similar analysis of the 1948 Missouri election, in which the party-column ballot was used, revealed a closer matching of party division of the vote for governor and for legislator in those districts in which both parties had legislative nominees. The upshot seems to be that when there is a legislative candidate on the ballot, he is likely, on the average, to run about as strongly as the head of the ticket in the types of situations examined.

The inference follows, from the discussion of Table VII, that the type of broadening dispersion of legislative districts recorded in Figure 4 does not flow primarily from a movement of voters from party to party

In 1918 a sharp rise in the proportion of uncontested seats occurred and then the proportion of seats won by default settled down to a new plateau between 5 and 10 per cent of the total. In 1938, another abrupt upturn in the percentage of uncontested seats took place—to a peak of slightly over 30 per cent—and again the level settled down to another plateau in the neighborhood of 20 per cent. Missouri maintained a fairly even state-wide two-party competition over the period. In other states, with wider swings in party strength, it is probable that the cyclical factor would manifest itself in changes in the proportions of seats uncontested, i.e., apart from any long term decay in party leadership the proportions of seats uncontested might rise with an abrupt short-term decline in the strength of one of the parties. Or a sharp rise in minority party strength might increase the proportions of seats contested. Examination of the records of such states might result in the identification of variables other than nominating procedures with a significant bearing on competition and such effects might obscure or offset those factors on which attention is centered here.

TABLE VII. RELATIONSHIP BETWEEN DEMOCRATIC PRESIDENTIAL VOTE AND VOTE FOR DEMOCRATIC LEGISLATIVE CANDIDATES IN MASSACHUSETTS SINGLE-MEMBER DISTRICTS, 1948

District's Democratic Presidential Percentage 1948	Number of Districts	Mean Democratic Percentage, Districts with Legislative Contests		Districts with No	
		Presidential Vote	Legislative Vote	Democratic Legislative Candidate	Republican Legislative Candidate
10-19	1			1	0
20-29	4			4	0
30-39	15	36.5	39.6	7	0
40-49	27	44.8	41.4	13	1
50-59	15	54.8	59.2	0	1
60-69	12	64.4	64.9	0	1
70-79	15	76.6	67.3	0	6
80-89	7	84.0	73.3 ^a	0	6

^a Only one district is included in this cell.

but more from the atrophy of party leadership in the districts. That atrophy manifests itself in many districts in a failure to put forward candidates. This state of affairs exists not only in districts overwhelmingly attached to one party or another but also in districts in which minority legislative candidates would poll quite respectable votes and even on some occasions have a chance to win. The chances are also that the districts that show up in this analysis—those without enough of a party apparatus to turn up a candidate—differ only in degree of party decay from other districts in which the party has a self-appointed candidate. If so, our indicators detect only a part of the disintegration of party that has occurred.

Another check on the question of whether voter desertion or organizational atrophy underlies the widening dispersion of legislative districts may be made by considering the data recorded in Figure 5 concerning the single-member districts of Ohio and Indiana for 1908 and 1948. The distributions for these states are of considerable interest because they suggest an entirely unexpected clue to the nature of the relation between primary and party organization. The contrast between the 1908 and 1948 Ohio distributions resembles that previously shown to exist between similarly separated Missouri distributions. The Ohio distribution, however, curled up only at the Republican end of the spectrum which reflects in part a difference between the party systems of Ohio and Missouri. On the other hand, the Indiana distribution changed comparatively little between 1908 and 1948. It flattened out somewhat but in 1948 a large proportion of the districts remained in the 60-40

range in general election vote (83.1 per cent against 93.2 per cent in 1908), i.e., they were carried by a ratio of 3 to 2 or less. Figure 5 also provides a minimum measure of the effect of party "organization" in maintaining the 1948 Indiana distribution close to that of 1908. Shown there is the form the 1948 Indiana distribution would have taken if one regarded as

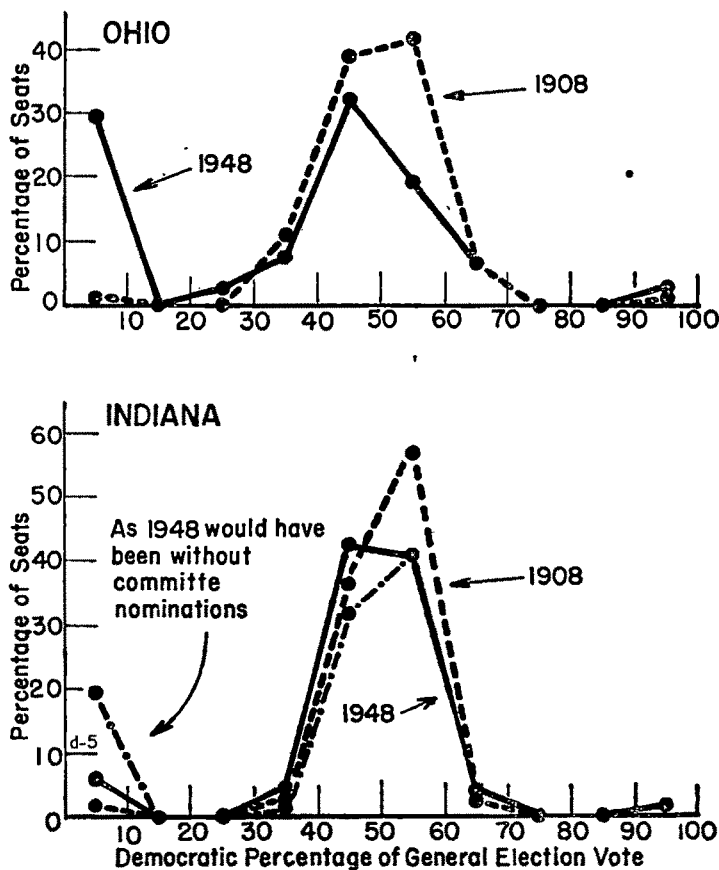


FIG. 5. Pre-Primary and Post-Primary Contrasts: Distribution of Single-Member House Districts, 1908 and 1948, Ohio and Indiana, According to Party Division of District General Election Vote for Representative.

uncontested those districts in which the nominee was named by party committee rather than by primary.¹⁶

The contrasts between the Indiana and Ohio patterns suggest a re-formulation of our notions about the bearing of primary procedures on the vitality of informal party groups and cliques. Indiana nominates its state legislative candidates by direct primary; its candidates for

¹⁶ Undoubtedly in both states there occurred nominations by primary which resulted from draft or designation by party committee. The Indiana procedure segregates at least some of such nominations.

governor, United States senatorships, and other state-wide offices, by state convention. Ohio, on the contrary, nominates for state as well as for local offices by direct primary, although it uses conventions to draft platforms. The necessities of state nominating convention operation may stimulate the maintenance in all localities of party leadership cliques with at least the capacity to round up delegates to the state convention. A delegate from a county 20 per cent Democratic weighs as heavily as one from a county 80 per cent Democratic. Thus stimulated, the activity of party cliques may carry over into the recruitment of legislative candidates. On the other hand, similar external forces may not sustain the same degree of inner-core activity in all districts when a state nominates for state office by direct primary.¹⁷ The hypothesis, thus, might become that the atrophy of local or district party cliques derives not solely from local factors but more significantly from the erosion of the organizational superstructure that once linked local minorities to central points of power within the state. Or, conversely, that local minority cliques once gained vitality from their linkage with state leadership and from the functions they performed vis-à-vis that leadership.¹⁸

If the primaries so far dissected are representative, minority party cliques in sure legislative districts have tended to decay since the introduction of the direct primary. The vexing problem is how to establish whether the primary had anything to do with that development. From the beginnings of agitation about the primary, 1900-1910, to the present a variety of factors have been operative, all of which might be supposed to have had some effect on the system of informal groupings which make up a "party."

If party atrophy in legislative constituencies is associated with state-wide and local nomination by primary, the same sort of local decay of leadership cliques would not occur in states which retain the convention system for both state and local nominations. Since the use of the primary is so widespread, comparative experience from convention states is scarce. Connecticut, however, remains a more or less simon-pure con-

¹⁷ If this theory is correct, the 1908 and 1948 distributions of New York legislative districts would resemble those of Indiana, for New York also nominates for important state-wide offices by convention. The 1948 New York distribution curls up at the extremes of the scale of party strength but this turns out to be the result of dual nominations mainly in the Bronx, presumably by inter-party negotiation. The New York data, hence, conform to expectation.

¹⁸ Compare, on the national scene, the historic reasons for being of Republican "machines" in the Southern states: to control national convention delegations and to dispense patronage. Or, consider the role of Democratic organizations in the northern New England states.

vention state and its record may be laid alongside the data thus far presented. Figure 6 shows the distribution of Connecticut legislative seats according to the party division of the general election vote in 1908 and 1948. While the 1948 distribution, in comparison with 1908, flattens out a bit, it does so only in parallel with the shift in general party complexion of the districts as measured by their presidential vote.¹⁹ Moreover, the

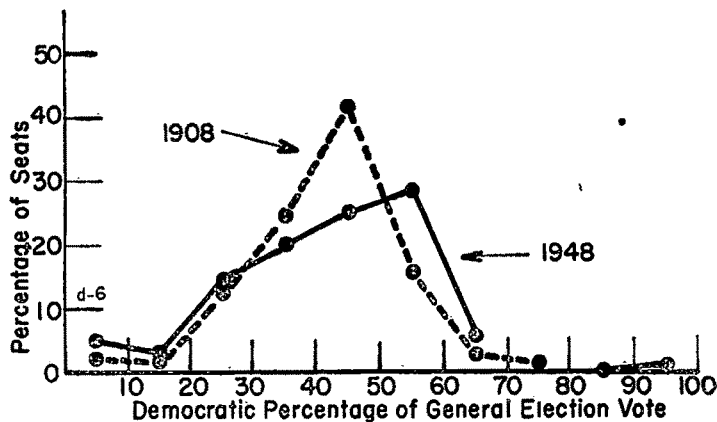


FIG. 6. Sustained Party Competition for Legislative Seats: Distribution of Connecticut House Seats According to Party Division of District General Election Vote for Representative, 1908 and 1948.

proportion of seats in the 40–60 range in 1948 differs very little from that of 1908. If attention is centered on the districts carried by one or the other party by default, striking differences appear between Connecticut and Indiana and the other states on which data have been presented. The proportions of seats uncontested at the general election were as follows:

	1908	1948
Connecticut, all seats	2.4%	4.8%
Indiana, all seats	1.0	5.0
Indiana, single-member districts	1.4	7.6
Ohio, all seats	1.8	18.5
Ohio, single-member districts	2.6	32.1
Missouri, all seats	1.4	21.4

In these contrasts, the Connecticut distributions reflect the least movement of districts into the uncontested category. In Indiana, which retains the state nominating convention but uses the primary for local

¹⁹ That is, a pair of distributions of the Connecticut districts according to their presidential vote in 1908 and 1948 resembles the distributions according to legislative vote shown in Figure 6.

nominations, the rise in the proportion of uncontested seats has been comparatively small. On the other hand, in those states in which both state and local candidates are nominated by primary, sharp rises have occurred in the proportions of seats won without general election contest.²⁰

In the absence of contrary explanations for these different tendencies, they could be attributed to the effects of the direct primary and, perhaps more particularly, to the state-wide primary with its reduction of the

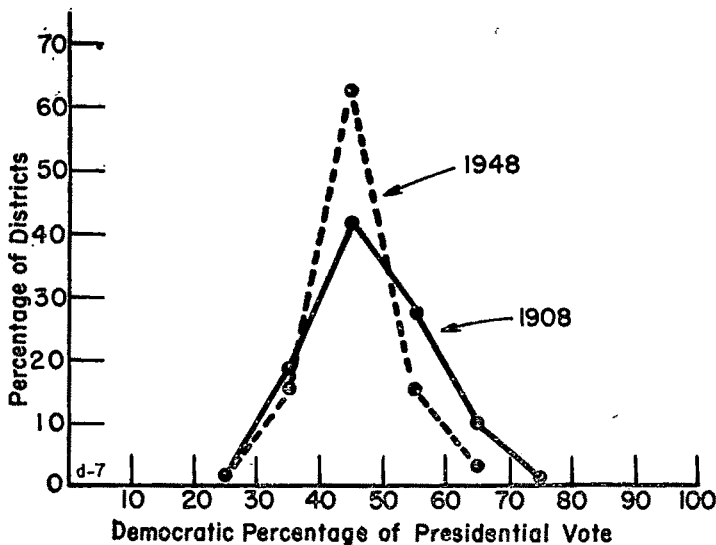


FIG. 7. Sustained Party Competition in Presidential Politics: Distribution of Ohio Single-Member House Districts According to Division of Their Presidential Vote, 1908 and 1948.

necessity for the maintenance of going local party cliques in all counties for the operation of the state nominating convention. The problem then becomes one of whether an explanation other than the institutional one can be found for the differences in behavior of Connecticut and the full-fledged primary states. A genuinely rigorous demonstration of the association between primary procedures and organizational decay requires the exclusion of all other explanations of the differing behavior of the two types of states.²¹

²⁰ The 1948 Connecticut figure reflects in part the fact that in some rural towns the Democrats could muster only one candidate when two seats in the House were to be filled. Comparable New York figures for the two years are zero and 13.3 per cent. The uncontested 1948 seats were principally the result of dual nominations. If it is assumed that without the availability of this nomination procedure such seats would have been contested, 0.7 per cent of the 1948 seats went by default.

²¹ This step, it ought to be made most explicit, represents the crucial stage of the analysis. If it is conceded that inter-party competition occurs quite generally when state-

An alternative explanation of the broadening dispersion of legislative districts could rest on the theory that party competition has roots deep in the social structure of the state. The specific hypothesis might be that in our primary states the movements of population, from country to city, from city to suburb, and so forth, had nicely sorted out Democrats and Republicans among districts to make the cause of one or the other party hopeless in many districts with a consequent disappearance of minority candidates. Meanwhile, in the convention states the demographic trends might not have been such as to destroy the bases for party competition in many districts by this sort of polarization.

If this hypothesis were correct, it would be expected that the distribution of districts according to their presidential vote would have undergone a transformation similar to that of the distribution according to the division of legislative vote. The proportions of districts overwhelmingly Democratic or Republican in presidential voting would have increased sharply. Checks on the states analyzed indicate that the spreading of the legislative distribution 1908-1948 is not simply a reflection of alteration in the presidential distribution. Illustrative is Figure 7 which shows the distributions of Ohio single-member districts according to the Democratic percentage of the presidential vote in 1908 and 1948. Compare this with the legislative distributions for the same districts in Figure 5. The Missouri data are similar. The conclusion seems clear that if in such states there were enough of a party organization in each district to bestir itself to put up a candidate and to campaign a bit, the current legislative distributions would more nearly resemble the presidential.

Another type of check on the general point is provided by Figure 8 which shows the distribution of Massachusetts single-member legislative districts according to the division of their legislative and presidential vote at a single election, that of 1948. At both ends of the distribution the minority party does not put up either enough candidates or enough of a fight to realize its potential in the legislative voting. While a realignment of voters may in some instances produce an alteration

wide nominating conventions are employed and considerably less generally when both state and local nominations are made by primary, the question remains whether some factor other than nominating procedure accounts for the differences. Since no means exists to determine whether all the other possibilities have been excluded, findings based on such reasoning must remain provisional. The entire analysis illustrates neatly the basic difficulties of comparative government. Even in the comparative analysis of American states, which should hold constant a great many factors that would complicate comparisons among nations, it is extraordinarily difficult to know when significant variables have been identified. For a treatment of the problem of method, see Roy Macridis and others, "Research in Comparative Politics," this REVIEW, Vol. 47, pp. 641-75 (Sept., 1953).

of the distribution of legislative seats quite independently of the primary, it seems apparent that that factor does not account entirely for the changes examined here although it may well have been of some effect.

Several other explanations, in addition to nominating practices, could be offered for the differences between 1908 and 1948 legislative distributions. Thus, the introduction of the popular election of senators may have eliminated centers of state leadership that took steps to assure that a legislative candidate ran in almost every district. While this constitutional change probably was of significance for the organization of state politics, had it been controlling the Connecticut party organiza-

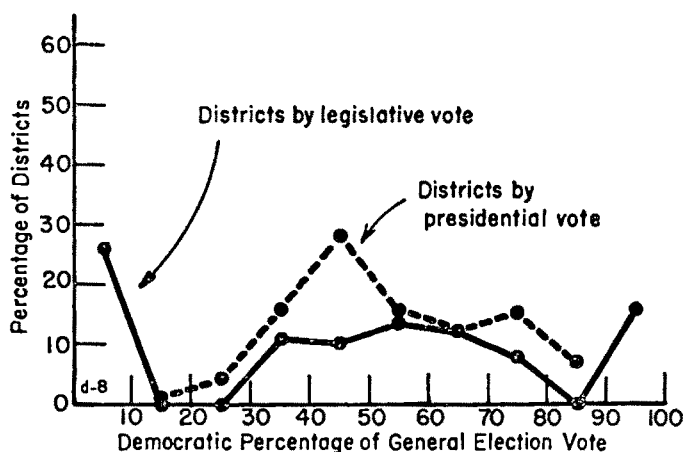


FIG. 8. Contrasts in Presidential and Legislative Competition: Distribution of Massachusetts Single-Member House Districts According to Division of District Presidential and Legislative Vote, 1948.

tion would have atrophied in a manner similar to the state organizations in states using the direct primary. Another explanation, and one more difficult to cope with, is the theory that the informal structures of the Connecticut party system have always had a strength exceeding that of the other states with which it has been compared. Otherwise the Connecticut organization would not have been capable of preventing the imposition of a mandatory direct primary system while other state organizations succumbed to the demand for reform. Unless the retention of the convention system alone be regarded as proof, the supposition would be extremely difficult to test.²² Another possibility is that over the past forty years those groups disposed to seek office and those

²² The Connecticut convention system is said to persist in part because of the fact that delegates in the Republican state convention are apportioned in the same manner as the members of the lower legislative house. The small towns, greatly overrepresented, would lose advantage by the adoption of the state-wide primary.

groups able to support office-seekers have gravitated toward the Republican party. Nobody is left, so the argument goes, to run for office in many districts under the Democratic banner even though there may be a good many Democratic voters left. If this were the explanation of the tendency in the primary states, the same sort of trend would also probably exist and be felt in Connecticut. It is also possible that such a movement of leadership strata, if it has occurred, may have been, especially among office seekers, at least in part a consequence of the primary system itself.²³

III

The data make it difficult to reject the hypothesis that the creation by direct primary legislation of new channels to power, more readily accessible and less readily monopolized than antecedent procedures, operates over the long run to modify the nature of the informal structure of party leadership in bi-party systems. The inferences about the effects on informal party structure have, to be sure, been based largely on the indirect evidence of the presence, absence, or performance of candidates. That evidence deserves weight on the principle that where there are no bear tracks there are no bears. Yet the conclusions should be limited to the time and to the type of situation under examination and perhaps even to the specific cases studied. In particular, the observations should not be projected to primary nominations in large jurisdictions.²⁴

²³ While the governments of American states are notable for their surface similarities, even the most cursory examination unearths persistent peculiarities in their informal political organization and practice. The basic question here comes down to whether some feature of Connecticut, independent and separate from the convention procedure, operates to maintain an informal political order different from that of the primary states. One reader suggests a variation on the demographic theory tested in the text, viz., that the changing demography of the primary states oriented the rural districts toward anti-metropolitanism. Given a degree of independence between national politics and state legislative politics, that sentiment of anti-metropolitanism reflects itself in a lack of party competition for legislative seats in these districts even though they may have a substantial minority vote in gubernatorial and presidential elections. In Connecticut, on the other hand, the demographic fact of a sprinkling of smaller cities rather than a dominant metropolis or two has not provided the conditions for so high a degree of metropolitanism. The hypothesis is difficult to test. If it were correct, the Indiana and New York 1908-1948 distributions would behave as do those of Missouri and Ohio. Another reader suggests that the pay of legislators may be a factor. Their real compensation has probably declined, but it may be doubted that this factor bears significantly on our problem, which in a way is to explain why parties at one time or under some circumstances put up candidates without much of a chance to win low-paying offices and do not do so at other times or under other circumstances.

²⁴ Cortez A. M. Ewing concludes, from his extensive analysis of Southern nominations, that local constituencies show "distinctive characteristics which belie the facile assumption that a large constituency is only an overgrown small one." *Primary Elections in the South* (Norman, Oklahoma, 1953).

Moreover, the examination of local nominations points to state-wide party procedure and organization as a significant determinant of the character of political competition within the districts. Inquiry in that direction would complement and perhaps modify the conclusions. Furthermore, on many questions the data dealt with here can yield no information. The findings boil down about to the following:

1. The transfer, to a considerable extent, of the actual popular choice to the majority party primary probably has brought a basic change in the role and structure of the inner party leadership within the majority party in such legislative districts. Such a conclusion must rest on the assumption that in pre-primary days inner party cliques had a relatively free hand in nominations. That state of affairs must be contrasted with the genuine competition for popular favor that appears at majority party primaries, although the level and regularity with which it is sustained differ from district to district with factors such as closeness of the general election vote. The data tell little about the workings of party cliques within majority districts, other than that if or when they exist they do not ordinarily operate without at least occasional serious challenge.²⁵

2. The direct primary leaves a clearer trail in its effects on the minority party. Over the long run there seems to be associated with the primary a tendency for the district party cliques and leadership in the minority party to atrophy. The comparative analysis suggests that a critical factor underlying this drying up of local leadership is not the local primary alone but the combination of the local primary with the alterations in the structure and place of state leadership involved in the abandonment of the state nominating convention. This special case of organizational atrophy may be subsumed under the more general proposition that institutional decay follows deprivation of function.²⁶

3. These two broad effects combined alter the nature of political competitors, if not the character of the process of political competition itself. The transfer of actual choice to majority primaries, to the extent that it occurs, affects the monopoly of opposition enjoyed by the minority party, which, Schattschneider asserts, "is the most important

²⁵ Related questions on which the data throw no light are whether the shift from competition between candidates of parties to that between candidates *within* parties brings with it alterations in the nature of the issues of campaigns, in the conduct of campaigns, in the relation of legislators to their party group in the legislature, in the nature of the choice presented to the electorate, and so forth.

²⁶ Institutions are hard to kill but survival bereft of function tends to be associated with a metamorphosis of mission, as when an ancient and honorable volunteer fire company lives on to sponsor an annual ball and to appear in festive costume on ceremonial occasions.

asset of the second party."²⁷ The function of opposition comes to be carried out in considerable measure by candidates within the majority party primary. If carried to its extreme, this process would destroy the minority.²⁸ More commonly the atrophy of leadership of the second party may leave it less well equipped to perform the function of governance at critical moments when it is willy-nilly swept into office. All this rests on the assumption that the preservation of the monopoly of opposition and the exercise of the rights and duties of that monopoly build and prepare leadership for responsibility.

4. Prudence dictates some hedge about the method of analysis and the interpretations that flow from it. Given the complexity of the sort of political phenomena with which we are concerned, it would be a wise conjecture that the institutional variable is only one of a bundle of factors or causes explicative of the contrasts that appear in different states and in the same state at different times. Variations in the proportions of these unidentified variables might even on occasion produce results that diverge from those in the states examined here and thereby lead to the identification of factors significant but not perceived in the situations examined here. An increase, for example, in the effort devoted to the development and maintenance of a state-wide integrated party system might offset institutional depressants of party life that operate when such effort remains more or less constant.

5. A word of caution for party reformers is in order. If the assumption is correct that changes in informal patterns of action occur only gradually, repeal of the mandatory primary laws would by no means restore tomorrow the party structure existent before their adoption. So firmly established are the forms and practices of direct primaries that probably in many constituencies even in the absence of statutory mandate they would be continued. Only over a longer term could significant alterations in informal party structure be expected to follow a change in nominating procedures.

²⁷ Elmer E. Schattschneider, *Party Government* (New York, 1942), p. 82.

²⁸ One is puzzled why in small constituencies forces set in motion by the primary do not draw practically all voters into the primary of one or the other of the parties at least for local purposes. The organizing influence of gubernatorial and presidential politics may maintain a bi-polarization that has its effects in a modicum of party identification vis-à-vis local candidates even in the smallest constituencies.

POLITICS OF BRITISH CONSERVATISM*

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A rough measure of the resilience of the British Conservative party is indicated by the relatively rapid comeback from the electoral defeat of 1945. Instead of a twenty years' exile, like that of American Republicans, the Conservatives were out of office only six years. To be sure, their return to power was by a very slim parliamentary majority, representing less than half the popular vote cast in the General Election of 1951. And the ups and downs of the Conservative Government's popularity, as reflected in by-elections during 1952 and 1953, have shown little more than a capacity to hold the existing narrow margin.¹ For many it must still seem difficult, as it did for Professor Herman Finer in the late 1940's, "to conceive a policy which, within some decades even, might win back for the Conservatives enough votes to support a solid government."² Naturally the Conservatives themselves have hardly accepted the fate of serving only an occasional interregnum between periods of Labour rule. Almost entirely without the spectacular issues which have characterized recent electoral successes of American Republicans, the British Right has sought to refute the assumption that it is incapable of presenting a sufficiently attractive political alternative to socialism.

I. IDEOLOGICAL REVIVAL

The Conservative party has not been without an intellectual base from which to launch a counteroffensive against Labour's compound of Fabianism, non-conformist equalitarianism, and anglicized Marxism. Although party spokesmen are tireless in disclaiming the type of ideological prepossession considered the curse of socialism, they do hold that Conservatism is distinguished by "a habit of mind, a mode of feeling, a way of living."³ The Tory is said to reject

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¹ Following a period of apparent political adversity in the first nine months after the General Election of 1951, Conservative popularity seemed on the increase late in 1952 and during the spring of 1953. The most notable triumph was at Sunderland, South, where the Conservatives in capturing a Labour seat accomplished what no Government party had been able to do in a by-election against its opposition since 1924. *The (London) Times*, May 14, 1953, p. 8. However, in the fall of 1953 the voting trend in by-elections was favorable to Labour. No seats changed hands but particularly in the marginal constituency of Holborn and St. Pancras South the Conservatives appeared to have lost ground. *The (London) Times*, Nov. 20, 1953, p. 8.

² *Theory and Practice of Modern Government*, rev. ed. (New York, 1949), p. 317.

³ Introduction (by the editor) to *The Conservative Tradition*, ed. Reginald J. White (London, 1950), p. 1.

rationalistic and a priori doctrine, but to prize the values regarded as "given" in the British political inheritance.⁴

None of the sources of this outlook are new, and they have been amply explored elsewhere.⁵ What remains striking, however, is the extent to which the Conservatives have revived and refurbished their traditional ideology. The articles of faith stemming from Edmund Burke must always have won intellectual admiration, but they have been given a special prominence in the party's postwar campaign to equip the younger generation with a basically conservative approach to politics. Burke's rhetorical passages are profusely quoted in speeches and pamphlets, and one of the party's contemporary intellectual spokesmen advised Conservative students: "In him is contained all that is necessary to political salvation. 'Back to Burke' ought still to be our motto. Read and re-read the *Reflections on the Revolution in France*: this is an exercise that should be performed at least once a year."⁶

Reliance on the *Reflections* is natural enough in the party's circumstances. Burke's admiration for constitutional tradition, respect for the established religion, and belief in evolutionary and organic change all suit the Conservative temper. The present role of the party is not seen in such a very different light from the time when Tories, forgiving the fact that Burke had been a Whig, first found in his reaction to the French Revolution the intellectual fount of modern Conservatism. The problem is still to resist, in one way or another, the sharp breaks with tradition that Burke inveighed against so strenuously. Even while insisting on a national uniqueness relative to continental right-wing parties,⁷ British Conservatives have customarily accepted Lord Hugh Cecil's view that "from 1790 the whole of English politics was cut in two by the influence of the French Revolution and its principles; and those who stood emphatically against the revolutionary movement made the party in politics which we now call Conservative."⁸

The Burkean disbelief in the efficacy of radical institutional remedies for the ills of the world is applied against the utopian element of socialist doctrine as it was against the enthusiasm of the French Revolution.⁹ But now the party finds its traditional pessimism about man's capacity for large-scale social progress more nearly keyed to the popular intellectual mood than it was during

⁴ The word "given" is used here in the same sense employed by Daniel Boorstin to describe the general American belief that values are "in some way or other automatically defined: *given* by certain facts of geography or history peculiar to us." *The Genius of American Politics* (Chicago, 1953), p. 9.

⁵ Notably in Russell Kirk's entirely sympathetic appraisal of Anglo-American conservatism, *The Conservative Mind from Burke to Santayana* (Chicago, 1953).

⁶ T. E. Utley, "The State and the Individual," lecture published in the Conservative Political Centre's *The Good Society* (London, 1953), p. 41.

⁷ For example, Michael Oakshott, "Contemporary British Politics," *Cambridge Journal*, Vol. I, pp. 474-90, at p. 479 (April, 1948).

⁸ *Conservatism* (London, 1912), p. 40.

⁹ G. Kitson Clark, "The Historial Basis of Conservatism," in *The Good Society*, *op. cit.*, p. 24.

much of the nineteenth century. No longer appearing hopelessly reactionary, an emphasis on the limitations of human nature can proudly be presented as a neo-orthodox foundation for Conservative political thinking. It is true that not everyone who has rediscovered a religious view of man's sinfulness is now a Tory. The Labour party, in addition to its non-conformist religious base, has a variety of church members. Yet the long-standing Conservative assumption of human sinfulness must appear especially congenial to the neo-orthodox believer. Furthermore, the Conservative party has always identified itself with the political defense of the established religion.

Nevertheless a considerable part of the Conservative intellectual revival may have little or nothing to do with religious neo-orthodoxy. One need not be convinced of man's sinfulness to be impressed with limitations on human progress, or with the obstacles in the way of rational and planned solutions of social problems. Two disastrous world wars and their unpleasant aftermaths have played their part in shattering the liberal optimism of Victorian days. And, more particularly, the opportunities to practice socialist principles in Russia and Britain have in their very different ways been disillusioning experiences for the intellectual community. In this context, it is not surprising to find teachers at Oxford and Cambridge remarking that politically-inclined students have been showing a more pronounced Tory preference than was true in the 1930's. It is still too soon to say that the trend to the Left, so discernible among intellectuals before and during World War II, has been reversed.¹⁰ Most Oxford and Cambridge students normally might be expected to have Conservative backgrounds, and it would be rash to generalize confidently about a postwar flight from socialism. The number of Labour intellectuals is impressive, and it includes many moderates in addition to the *New Statesman* variety. On the other hand, the postwar Conservative campaign has also been served by considerable academic and verbalist talent.¹¹ The Conservative Political Centre, established in 1945, has produced a sophisticated educational program, and, along with the well-developed party research departments, has furnished employment to aspiring intellectuals often on their way to parliamentary careers.

The invigoration of the party's deep anti-radical tradition has been accom-

¹⁰ The pre-1945 undergraduate trend is readily associated with the subsequent rise in the proportion of Oxford and Cambridge men in the Parliamentary Labour party from fifteen per cent, as an interwar average, to thirty-seven per cent in 1951. J. F. S. Ross, "The 1951 House of Commons," *Quarterly Review*, Vol. 290, pp. 305-6 (July, 1952). Ross's figures make it clear that this was not at the expense of the Conservatives, whose proportion of Oxford and Cambridge products also rose in the same period—from fifty-two per cent to sixty-three per cent.

¹¹ Toryism's apparently thriving intellectual status raises some doubt concerning the broad applicability of Joseph Schumpeter's well-known dictum that the intellectual class accompanying the rise of modern capitalism inevitably becomes hostile to the existing order. Of course, some of the Tory intellectuals may not belong to a class accompanying the rise of modern capitalism. For Schumpeter's discussion, see his chapter, "The Sociology of the Intellectuals," and his additional paper, "The March into Socialism," both in the third edition of *Capitalism, Socialism, and Democracy* (New York, 1950).

panied by a continued emphasis, at a less intellectual level, of the closely related patriotic motif. In various rhetorical flourishes as well as in the prominence of the Union Jack and other British symbols at party meetings, Conservatives perpetuate their chosen role as the defenders of Queen and Country. This display of national sentiment is markedly different from the practice of the Labour party, whose symbolism largely remains that of the "working class" and of socialism. However, since Conservatism's patriotic appeal was customarily linked to the championship of Empire, its substance necessarily suffered some modification in the postwar years. At least since the time of Disraeli, the party had considered itself the only trustworthy guardian of the Empire. Originally in opposition to the anti-imperialism of the Liberals and later to that of Labour, the Conservative party had rallied the bulk of the nation's sentiment for overseas expansion. Of course, the cause was hardly forsaken in the postwar period. Conservative imperialism has still been expressed, very enthusiastically by one wing of the party, in diatribes against "scuttling" British overseas possessions and particularly in arguments favoring the extension of the Commonwealth's preferential tariff system which prewar Conservative governments had established.¹²

What vitiates the maintenance of a distinctively Tory Imperial position is not only the anachronistic character of the traditional grounds for defending the diminishing Empire. Much, though not all, of the old Conservative faith is capable of transformation into an attachment to the newly-fashioned Commonwealth. But here Conservatives find themselves in apparent general agreement with the bulk of their Labour opponents. For example, the Labour party now appears only slightly less anxious to achieve—if it were possible to do so—an Imperial Preference tariff system designed to solve Britain's balance of payments problems. And, save for some polemics having to do with political tactics, there seems little room for difference between the two parties in the matter of preparing colonial areas for self-government within the Commonwealth. While the Conservatives may, when criticizing Labour's supposed weaknesses in foreign as well as Imperial policy, still invoke their status as the party of Empire, such a line does not imply a large-scale resurgence of really distinctive principles.

Much better suited than Conservative Imperialism for postwar revival has been the party's ideological position in relation to the economic order. Here a large portion of the Conservative inheritance appears relevant to the task of resisting socialist doctrines, and without exclusive reliance on a capitalist rationale of doubtful popularity. Defense of private property and of a leisured class based on property ownership were cardinal features of historical Conservatism. But it was not so much business wealth as landed property that Conservatives traditionally defended. Consequently a doctrinal devotion to free enterprise has never been as dominant a characteristic as it has among American Repub-

¹² Party conference debates are illuminating in this respect, as reflected, for instance, in the *69th Annual Report* of the National Union of Conservative and Unionist Associations (London, 1948), pp. 64-71.

licans—whose party origins coincided with the rise of industrial capitalism. The original basis of Conservative thinking is pre-capitalist, and it thus seems entirely appropriate that the Marquess of Salisbury, contemporary representative of the Cecil family, should describe the party's ideal of British society as neither socialist nor capitalist.¹³

Significantly, Conservatism now emphasizes the nineteenth-century opposition it offered to the laissez-faire theories of Manchester liberalism. Individual Tories like Lord Shaftesbury and Richard Oastler,¹⁴ who had pressed for legislation to regulate labor's hours and working conditions, are counted the precursors of the Conservative concern for the welfare of the working-class. Disraeli, credited with the political genius of identifying the party with that concern, is celebrated as the chief Tory hero. His insistence on calling the people to the Conservative cause is proudly presented as the party's real tradition, as opposed to the pure and simple defense of the status quo which has so often characterized Conservative statesmanship. In the present perspective, the failure in the period just before and after 1900 to associate Conservatism with the aspirations of the urban working class is considered an unfortunate deviation from basic principles. Belatedly, in other words, the status of prophet is accorded both to Lord Randolph Churchill, for his meteoric Tory Democrat campaign of the 1880's,¹⁵ and to Joseph Chamberlain, for his attempt to transplant the left-wing Liberal social program to his adopted party.¹⁶

In the forefront of the party's intellectual campaign is Lord Hugh Cecil's belief that "it is an indispensable part of an effective resistance to Jacobinism that there should be moderate reform on conservative lines."¹⁷ Consistent with this view, considerable emphasis has been placed on the positive measures of social amelioration attributed to Stanley Baldwin and Neville Chamberlain during the interwar years. Especially the redemption of Chamberlain's reputation has been largely in terms of the welfare and housing legislation which he advanced with the express purpose of softening class antagonisms.¹⁸ While it might be granted that such legislation was limited by the stand-pat element of the party temperament, Conservatives, in justifying welfare measures, have not had to

¹³ Radio address contained in *Conservatism: 1945-1950* (Conservative Political Centre, 1950), p. 96.

¹⁴ A full account of Oastler's reforming career is given by Cecil Driver, *Tory Radical* (New York, 1946).

¹⁵ Of Lord Randolph's role his son wrote long ago: "... he urged that energetic sympathy with practical social reform and indifference to selfish class instincts which alone can convince democracy that time-honoured institutions are not merely safeguards but may be made effective instruments of progress." Winston Churchill, *Lord Randolph Churchill*, 2 vols. (London, 1906), Vol. 2, p. 404.

¹⁶ James L. Garvin, *The Life of Joseph Chamberlain*, 4 vols. (London, 1932), Vol. 2, pp. 155-59 and pp. 448-69.

¹⁷ *Conservatism*, p. 64.

¹⁸ The reformist spirit of Neville Chamberlain at the Ministry of Health, 1924 to 1929, is described by Keith Felling, *The Life of Neville Chamberlain* (London, 1946), pp. 126-48.

explain away any doctrinal inhibition on the use of governmental power in behalf of the economically underprivileged. They had been such long-standing champions of state authority against the individualism of British Liberalism that legislative and administrative intervention, as such, represented a continuity rather than a break in intellectual tradition.¹⁹ Characteristic of this attitude is the currently widespread preference among many party activities for the label "Tory," with its connotations of a more positive stand than the title "Conservative."

However, the contemporary Conservative party could hardly be content with an ideology which did no more than justify the welfare state. A party of the Right does not exist only by competing in the field of social legislation. For one thing, the business interests, which (regardless of tradition) have found political refuge in Conservatism, naturally favor certain limits on governmental intervention. And Conservatives also argue that their ideological juxtaposition to a socialist party requires that they now emphasize the value of preserving a large sphere of freedom from the state. In one sense, this gives the Conservative party a different political role than it once played. Yet it is easy to appreciate how a Tory intellectual like Quintin Hogg (now Lord Hailsham) can reasonably deny that there is anything "inconsistent in having opposed Whiggery in the interest of the Crown, Liberalism in the name of Authority, Socialism in the name of Liberty, and even of the Liberal State." In his widely circulated version of postwar Conservative doctrine, Hogg contended that each of the party's diverse stands was merely part of the true function of righting the balance against currently popular theories. "In fighting Socialism in the twentieth, as they fought Liberalism in the nineteenth century, Conservatives will be found to have changed their front to meet a new danger, but not the ground they are defending."²⁰

Essentially it appears that the intellectual ground being defended is the British tradition of balance and moderation which the party considers its own faith. Conservatives not only believe that there is much in the past worth preserving, but that they, because of their attachments to the past, can best decide what ought to be saved.

II. POSTWAR PROGRAM

Although the intellectual basis of Conservatism is flexible enough to justify wide departures from previous advocacies, this did not automatically insure the adoption of a new postwar program. There was always what Winston Churchill, in another period, had called "an obstinate but apathetic resistance to change,"²¹ and so the possibility that Conservatism would be identified only

¹⁹ "For the tradition of authority is naturally a Tory tradition, and, but for the influence of Conservative prudence and justice, the successors of the Tories might probably have been ready to use the authority of the State with a freedom which we associate with Socialism." Lord Hugh Cecil, *Conservatism*, p. 247.

²⁰ *The Case for Conservatism* (Harmondsworth, 1947), pp. 15, 53.

²¹ Lord Randolph Churchill (cited in note 15), p. 121.

with desperate delaying action. This, in all probability, was what led critics to doubt whether the party had the capacity to evolve "a considered series of measures satisfactory to the majority of people."²² The handful of Tory intellectuals and reformers was thought no match for the inertia of the party mass, tacitly assumed to be tied to policies of the past if not to vested interests of the present.

It is questionable, however, whether Conservatives, en masse, would have been satisfied with the kind of program they had followed a few decades before. While hosts of unreconstructed Tories may have remained, there must have been others in the Conservative ranks who had themselves participated in and accepted the evolutionary process, accelerated by wartime circumstances, which had so greatly changed British society. Perhaps R. A. Butler, the acknowledged architect of postwar Conservative policy, was not wrenching the party from its moorings so much as he was plainly reflecting the contemporary view when he said: "It is the task of the present generation of Conservatives to found our modern faith on the basis of two features of this age, namely the existence of universal adult suffrage and the acceptance by authority of the responsibility for ensuring a certain standard of living, of employment, and of security for all."²³

Conservative adoption of the principles of the welfare state was signaled by the favorable reception given in 1947 to the *Industrial Charter*, the party pamphlet officially announcing the enlightened Tory faith. Many of the inarticulate rank and file may have been unimpressed with this product of the party intellectuals, but the pamphlet provoked open attack from only a small die-hard minority who considered the *Charter* to be "milk and water Socialism" or "pink Socialism." This opposition was harmlessly out-of-date and it was drowned in the chorus of approval that the Conservative conference gave to Butler's call for a "strong Government policy."²⁴ But there was an evident desire to distinguish this policy from the planning advocated by the Labour party. It was claimed that Conservatives would avoid any detailed interference in private business and would seek to encourage individual enterprise consistent with overall economic control. This was rather vague ground on which to stand in opposition to socialism, and the *Industrial Charter* was less important in this respect than it was in making clear that the Conservative party was committed to the full employment program which the British community now expected of any government.

Similarly the party offered reassurances that it would retain whatever means of rationing and price control were necessary to the "fair shares" policy instituted during the war but subsequently claimed by Labour as its own equalitarian-minded policy. Conservatives had to establish their good faith in "fair

²² *Theory and Practice of Modern Government* (cited in note 2), p. 317.

²³ Introduction to *Conservatism: 1945-1950* (cited in note 13), p. 3.

²⁴ *68th Annual Report of the National Union of Conservative and Unionist Associations* (London, 1947), pp. 46-54.

shares" without at the same time turning their backs on the rising discontent, especially among their own followers, over the bureaucratic annoyances of the rationing system. Consequently, there was an ambivalence about the party's statement:

It follows that we should be able to take off the rations and controls far more quickly than the Socialists who scorn the practical methods of experience and enterprise. But we give this pledge. We will not remove the control from any necessity of life until we are certain that it is within the reach of every family.²⁵

In fact, when the Conservatives did return to power they were saved from the possible ideological embarrassment of having to retain economic controls roughly as they were. Conditions eased sufficiently in 1952 and 1953 so that it was possible, consistent with the party's pledge to consumers, to accelerate the process of derationing already begun by the Labour Government and so to claim a policy of "setting the people free."

A more concerted anti-socialist conception was that of a "property-owning democracy," increasingly prominent in the postwar literature of the Conservative party. Here, without challenging in the name of free enterprise any accepted values of the electorate, the party could stand on a set of principles it regarded as its own. Quintin Hogg stated it this way: "Just as political democracy and political freedom mean the diffusion, the sharing of political power, so economic democracy, economic freedom, means the sharing, the diffusion, of economic power, that is property, as widely as possible throughout the community. This diffusion Conservatives regard as the very antithesis of Socialism."²⁶ Following that theme, the party has proposed a society in which there would be more capitalists, in the sense of more Englishmen with a property-owning stake in land or in industry.²⁷

Programmatically much of the talk about a property-owning democracy is very loose, particularly with reference to what is called "co-partnership in industry,"²⁸ but there is one area in which the Conservative preference for individual ownership has been of direct political significance. That is in the matter of government-sponsored housing programs. Conservatives have displayed as definite a bias in favor of encouraging the building of houses for sale as the Labour party has in building for rent. At almost every postwar conference, Conservatives enthusiastically endorsed resolutions to aid the prospective owner-occupier either through new building or through the sale of already existing public housing. The party evidently agreed with the remarks made by a Member of Parliament in 1947: "I am absolutely convinced that a dynamic scheme of house ownership is not only a desirable thing in itself, but it is something which would win us hundreds of thousands of votes at the next General

²⁵ *Industrial Charter* (Conservative Central Office, 1947), p. 14.

²⁶ Quintin Hogg, *The Case for Conservatism* (cited in note 20), p. 63.

²⁷ Emphasized in *Agricultural Charter* (Conservative Central Office, 1948), pp. 4-5.

²⁸ For example, in Anthony Eden's electoral broadcast of Oct. 19, 1951, issued by British Information Services, ID 1109, pp. 7-8.

Election."²⁹ Not only did the encouragement of house-ownership constitute a non-socialist welfare measure, but it was even anti-socialist in its supposed effects on the social attitudes of the new property-holders. It is not surprising that a Conservative could write enthusiastically about raising the proportion of owner-occupied houses from the existing 30 per cent towards the 50 per cent cited for the United States.³⁰

Among the Conservative rank-and-file the popularity of outbidding the Labour party in the housing field was firmly established by a remarkable event at the party's annual conference in 1950. Ordinarily such conferences, attracting three or four thousand delegates, are docile gatherings designed to engender political enthusiasm. However, in 1950, during what started as another routine debate leading to approval of the usual resolution urging a more effective governmental housing program, so much floor support unexpectedly developed for a definite target of 300,000 houses annually that the figure was finally inserted in the resolution—quite obviously against the original wishes of the party leadership.³¹ The target of 300,000 was well above any annual accomplishment of the Labour Government and it was also so high as to seem beyond the reach of a prospective government concerned with a balanced distribution of scarce resources. But once committed to the magic number, the Conservative party made the most of it as a campaign slogan. In the 1951 General Election, it was hedged only slightly in the official campaign statement.³² And three-quarters of the individual Conservative candidates, in addresses to their respective constituencies, referred specifically to "300,000 houses." Altogether, some kind of reference to housing was made in 86 per cent of the Conservative election addresses, compared to 55 per cent in Labour addresses.³³

In office, after October, 1951, the Conservatives began the process of living up to their promise to expand the house-building program, as well as to stress more heavily the building of homes for sale. Whatever the effect on other construction activities, there was no doubt of the political necessity for exceeding the housing accomplishments of the Labour Government. Harold Macmillan, the responsible minister, was therefore very much the hero of the 1952 party conference when he announced, with pride, the beginning of an increased rate of

²⁹ L. D. Gammans, in *68th Annual Report* (cited in note 24), p. 97.

³⁰ Michael Fraser, "The Ownership of Property," in *The Good Society* (cited in note 6), p. 54.

³¹ *71st Annual Report* of the National Union of Conservative and Unionist Associations (London, 1950), pp. 56-65. First, the platform ruled out of order the suggested inclusion of the 300,000 figure, then attempted to conduct a vote on a much less specific amendment to the housing resolution, and only finally yielded to an uproar in behalf of the fixed number. Speaking for the leadership, Lord Woolton graciously said "This is magnificent," but he was also reported to have added *sotto voce*, "This is deuced awkward." Ivor-Bulmer-Thomas, "How Conservative Policy is Formed," *Political Quarterly*, Vol. 24, pp. 190-203, at p. 202 (April-June, 1953).

³² *Britain Strong and Free* (Conservative Central Office, 1951), p. 26.

³³ These figures are based on a study of one in four election addresses made by David E. Butler, *The British General Election of 1951* (London, 1952), pp. 55-59.

home-building.³⁴ As the rate increased in 1953 to very near the cherished 300,000, Conservatives considered that they had scored a substantial popular triumph.

Politically the Conservative position has not been so fortunate with respect to the National Health Service. Although the party, as the dominant partner in the wartime coalition, had accepted the main outlines of the health program, a suspicion remained as to the wholeheartedness of the decision. The suspicion was aggravated by the fact that the Conservative parliamentary representation voted against the Labour Government's bill establishing the Health Service in 1946. The explanation that this vote was not against "the principle of a national, comprehensive, 100 per cent health service,"³⁵ but only against particular aspects of the Labour bill, might have been genuine enough, but it left a cloud of doubt. Subsequently, Conservatives were most careful to avoid any indication of opposition to the continuation of the tremendously popular service. Criticism was largely limited to what was called the "partisan spirit" in which Labour had carried out the plans of the coalition government.³⁶

This was not the only way in which Conservatives sought to distinguish their support of the health service (and of other welfare measures) from that of the Labour party. While openly welcoming some redistribution of wealth through the provision of social services, it was still insisted that the process should not aim at a complete economic equality. "We believe in fair shares in order to provide a basic minimum," R. A. Butler wrote. "We recognize that in any form of society there must be failures. But one of the greatest motive forces of society is success and it is the task of Government to encourage success."³⁷ More metaphorically, Winston Churchill made the same point in an election address when he said that the Conservatives wanted to preserve an economic ladder while providing a net in which to catch those whose ill luck required the attention of the social services.³⁸ But despite this non-socialist state of mind, no grounds were given for any significant departure from the social legislation enacted by Labour. Indeed, the Conservative Government's choice of Iain Macleod as Minister of Health tended to confirm the party's support of the most important postwar measure. Macleod, decidedly a Tory reformer and a Butler man, had been elected to Parliament as recently as 1950 and had a record that was neither hostile nor lukewarm toward the National Health Service. Even while arguing for the maintenance of minor charges in the generally free system of medical care, Macleod was convincing in his disavowal of a desire

³⁴ *72nd Annual Report of the National Union of Conservative and Unionist Associations* (London, 1952), pp. 62-64.

³⁵ *H. C. Deb.*, Vol. 422, col. 66 (April 30, 1946).

³⁶ *The Right Road for Britain* (1949) contained in *Conservatism: 1945-1950* (cited in note 13), p. 204.

³⁷ "Conservative Policy," *Political Quarterly*, Vol. 20, pp. 317-325, at p. 325 (Oct.-Dec., 1949).

³⁸ Electoral broadcast of Oct. 8, 1951, issued by British Information Services, ID 1085, p. 4.

to transform the character of the service by imposing additional charges in the future.³⁹

A complicating feature of Conservative support for welfare measures was the party's virtually inevitable commitment to lower taxes. Not only was Conservatism, on principle, compelled to resist Labour's preference for taxation as a means for further redistribution of income, but insofar as the party embraced the cause of private enterprise it preached the gospel of reducing taxes to promote business incentive. Butler went so far as to declare: "It is on the weight of taxation that the clash between Conservative and Socialist policies is sharpest."⁴⁰ Conservatives did not, it is true, promise any very drastic reduction in the existing tax levels, but an admitted bias in that general direction was incompatible with any broad expansion in welfare expenditures—especially in light of the priority Conservatives ordinarily assigned to defense and rearmament.

The real problem for the Conservative Government was to avoid any sizable contraction in welfare programs while at the same time affording some measure of tax relief. In light of Britain's staggering income tax levels, no government interested in the preservation of the capitalist system could afford to neglect the tax issue, and Chancellor Butler's 1953 budget did eliminate a nearly confiscatory rate at the highest income bracket as part of a policy of relatively modest reductions in a wide range of incomes. The Conservative defense of this policy was a frank statement of the case for business incentives: "This Budget is primarily an industrial Budget. Its purpose is to help industry, and it is none the worse for that. If we help industry in a Budget we help everybody, rich and poor alike."⁴¹

An even more direct opportunity to champion private capitalism arose out of the Conservative resistance to the nationalization program of the Labour Government. In the last few years there has been a clear-cut battle line between the two parties on this issue, but, as a matter of fact, the postwar Conservative stand has not been entirely of one piece. In 1946, for example, when the Labour Government introduced its legislation to nationalize the coal mining industry, Conservatives, while voting against the measure in the House of Commons, did not declare themselves against nationalization as such. Mainly they objected to the bill's arrangements for administration and compensation.⁴² Subsequently, however, the tenor of Conservative opposition tended to vary with the industry being nationalized. The defense of private enterprise was a good deal more thorough-going with respect to road transport and steel than it was when Labour nationalized electricity and gas. This variation is compatible with the party's claim to be undogmatic about economic policy. With an absence of full faith in

³⁹ *H. C. Deb.*, Vol. 515, cols. 1725–26, 1742 (May 18, 1953).

⁴⁰ "Conservative Policy," *op. cit.*, p. 320.

⁴¹ G. E. P. Thorneycroft, President of the Board of Trade, *H. C. Deb.*, Vol. 514, col. 671 (April 20, 1953). The Conservative defense was in the same vein at Vol. 516, cols. 481–554 (June 11, 1953).

⁴² *H. C. Deb.*, Vol. 418, cols. 701–834 (Jan. 29, 1946) and cols. 874–1074 (Jan. 30, 1946).

private capitalism as an alternative to nationalization, Conservatives have been inclined to favor either a mixture of public and private ownership in a given industry, or a combination of public control with private ownership.

Party pronouncements reflected this moderate and compromising attitude. In 1949 the Conservative statement on nationalization, embodied in *The Right Road for Britain*, combined a justification of the party's opposition to all nationalization proposals with an acceptance of many as now accomplished facts. A Conservative government would, it was promised, "restore free enterprise where that is practicable," but would in other cases leave industries nationalized in order not to aggravate "industrial discord."⁴³ Although there was obviously a great deal to be said for the sheer impracticability of wholesale denationalization, at the same time this was also a convenient reason for Conservatives to avoid taking an unpopular rigid position which their "undogmatic" preference for private enterprise would not have justified in any case. In this connection, the party's final campaign promises, before being returned to office, are especially significant. Only in the cases of the iron and steel industry and of road transport did the Conservative election manifesto of October, 1951, commit the future government to denationalization. With respect to the Iron and Steel Act, which the Conservatives had consistently opposed without any inhibitions, repeal was flatly promised. Not only was this plank politically propitious, but it was one that was entirely possible to translate into governmental policy. The nationalization of iron and steel, partly because of its original conception and partly because it was still so recent, had not destroyed the identity of the old private firms but had simply transferred their ownership and overall direction to a national board.

Transport presented a less simple problem for the party. The need for both public and private enterprise in this field was admitted by the election manifesto, and nothing was said to indicate a desire to denationalize either the railways or road passenger services. On the other hand, the party was specific in its promise to give the private road haulers a chance to come back into their old business, which, like iron and steel, had been profitable. There was, in short, a strong probability that private enterprise would want to repurchase the assets. In other situations, the Conservatives were unpledged to any drastic change. Gas and electricity were to be administratively reorganized, and civil aviation developed in terms of a combination of public and private enterprise instead of the current nationalized monopoly. In the case of coal, where anything even approaching denationalization would have symbolized a return to the bad old days of underemployment and unplanned exploitation of resources, the Conservative party flatly stated: "We shall not denationalize the coal industry."⁴⁴ There was only some rather indefinite talk about reorganizing and decentralizing.

The actual policies of the first two years of the Conservative Government

⁴³ *Conservatism: 1945-1950* (cited in note 13), p. 192.

⁴⁴ *Britain Strong and Free* (cited in note 32), pp. 20-22.

have been in accord with the practical circumspection of these campaign promises. No more thorough-going renunciation of Labour policies had been dictated by the election returns, and the new administration proceeded so slowly with its modest denationalization program that the party held office for more than a year before the appropriate legislation was introduced. The Government's transport measure included a plan for regionalizing the management of the publicly owned railways along with return of road haulage to private enterprise. Generally the proposal was advanced much more definitely in the name of improving efficiency than in the name of restoring private ownership for its own sake. "We believe," said the Minister of Transport, "and we think that a majority of the people in the country believe, that competition gives a better service than monopoly. We believe that the best way to have a good service is through decentralization; and that independent private enterprise, or, in the case of the railways, regional enterprise, is the best way to achieve this decentralization."⁴⁵ It should be added that road haulage as well as the railways was to be subject to a large degree of central regulation by governmental authority, which was to be somewhat more highly systematized than before.

Iron and steel denationalization was justified along basically similar lines even though, in this instance, the argument for private enterprise was more prominently advanced than it was in the case of transport, which partook so much of the character of a public utility. The Conservative iron and steel bill was said to have two objectives—with some significance attached to the order in which they were discussed: first, to establish a "comprehensive system of public supervision embracing the whole iron and steel industry;" and second, to "restore independence, initiative and financial responsibility to the companies and so assure that they have the strongest incentives to produce as cheaply and efficiently as possible."⁴⁶ The minister responsible for the measure was most concerned, in the House of Commons, to emphasize the positive supervisory aspects of the legislation. Now, he said, there would be created an iron and steel board with broad powers over prices charged everywhere in the industry, and not limited in its scope to those basic industrial facilities which were under the authority of Labour's national board by virtue of ownership. Consequently the Conservatives were in the position of justifying their denationalization partly on the ground that it would involve a greater and a more effective system of public control than was possible under the national ownership established by the Labour Government.

Certainly there is nothing about the character of this type of measure to suggest that Conservatism is fostering a policy based primarily on the tenets of free enterprise as those tenets would be understood in the United States. The present Conservative Government seems content to fit its economic program to the very large measure of governmental intervention which the public has come to expect and apparently approve. The party's attitude toward the nationalized

⁴⁵ *H. C. Deb.*, Vol. 507, col. 1405 (Nov. 17, 1952).

⁴⁶ *H. C. Deb.*, Vol. 508, col. 266 (Nov. 25, 1952).

industries is much like its acceptance of welfare measures already enacted. This means that Conservative policy looks suspiciously like Labour's campaign program of a decade ago. In that light, the Conservative Government, defending the new status quo, could only hold on so long as the electorate is uninterested in any further advance towards socialism. While that might be a very long time—since just now the Labour party is not very clearly promising much by way of another advance to socialism—nevertheless it is a perspective which Conservatives would be unwilling to admit. Even without many positive measures to juxtapose against socialism, it would be argued that postwar Conservatism, fully converted to Tory Democracy, is capable of future reform in order to preserve British economic society against any need or demand for drastic change.

III. THE PARTY AND ITS APPEAL

Not just the principles but also the tactics of the Tory Democrat have been adopted in the postwar Conservative campaign to attract and hold the loyalties of a non-socialist majority of British voters. The existence of such a majority has been presumed even on the basis of the 1945 General Election when, despite Labour's vast parliamentary majority, less than half the electorate had voted Labour. However, this superficial calculation would leave the Conservative party only a very small potential margin of non-socialists. Just how small was illustrated by the fact that in 1951 Labour, while losing parliamentary control, polled 48.8 per cent of the vote compared to a flat 48 per cent for the Conservatives. To have a popular majority, Conservatives would have to add most of the remaining Liberal vote. Along that line the party was encouraged by the fact that in 1951 it attracted an estimated six out of ten former Liberal voters in constituencies where there was no Liberal candidate.⁴⁷ The Conservative party's short-run fortunes have been linked to the recruitment of this or a higher proportion of the fading Liberal party's stubborn residue, but the effort to establish a really firm electoral base has not been so narrowly limited. On the reasonable assumption that many Labour voters are far from being convinced socialists, Conservatives have tried to detach a portion of the opposition's principally working-class following.

So far the postwar Conservative party's most impressive political accomplishment has not been any such gain at Labour's expense, but rather the organization of that part of the electorate already predisposed to its cause. In bringing into the fold of active membership large numbers of ordinarily passive supporters and in getting to the polls the maximum of potential voters, the party machinery (rebuilt after 1945 under Lord Woolton's managerial direction) proved to be a model of efficiency.⁴⁸ Effective local political associations were

⁴⁷ *The British General Election of 1951* (cited in note 33), p. 242.

⁴⁸ The important subject of party structure is not dealt with here in detail. On the basis of the available published materials, the postwar Conservative organization has already been described in an American journal. See Samuel Beer, "The Conservative Party of Great Britain," *Journal of Politics*, Vol. 14, pp. 41-71 (Feb., 1952). A more intimate

more obviously indispensable for Conservatives than for Labour, whose affiliated unions were a ready-made means for reaching a mass public. Therefore, an important manifestation of Conservative organizational success was the large-scale building of Young Conservative associations at the local level. Both in membership and in active political participation, the Young Conservatives operated on a much greater scale than the counterpart Labour youth movement, which customarily displayed a left-wing deviationism that was more a nuisance than an aid to the Labour party. Conservative central headquarters could afford to encourage the growth of its affiliate and even to provide that Young Conservatives should send two of every seven constituency representatives to the annual party conference. As a Labour politician enviously remarked: "These youngsters were taken seriously by the [Conservative] Party, and they took themselves seriously. They staged debates and discussions; they canvassed hard; they attended speakers' classes—and they had a strong social pull."⁴⁹

The social pull as a element in the success of the Young Conservatives becomes readily apparent in any first-hand observation of the associations. Ideology may well be the basic inspiration for the organization and much of its leadership, but no one would deny that the mass membership is attracted by the consequent social opportunities. This is not so simple as joining in order to attend Young Conservative dances. There is also the chance, greatly valued in middle-class circles, of mingling with the upper-crust of local society. For the ambitious young clerk or salesman, an entree to his community's Conservative clubhouse is a step on the road to well-being. No doubt social climbing serves similar political purposes elsewhere, but the British Conservative party has thoroughly systematized the process.

Probably only in a society like Britain's where great importance is still attached to class status could a political party make so much of the social prestige of its leadership. In this sense, the upper-class character of Conservative parliamentary representation is an advantage rather than a handicap in recruiting support. After the 1951 election, 264 of the 321 Conservative M.P.'s were products of the private and expensive British educational institutions known as "public schools." Plainly the party's effort to secure working-class votes did not involve any abrupt shift to proletarian spokesmen. Only ten of the Conservative M.P.'s had gone to the "elementary school" which provides the standard education for most Englishmen—including the bulk of the Conservative voters.⁵⁰

account is provided in the work of a former M.P. with experience in both major parties. Ivor Bulmer-Thomas, *The Party System in Great Britain* (London, 1953), Part III.

⁴⁹ Wilfred Fienburgh, "The Tory Machine," *New Statesman and Nation*, Vol. 43, pp. 636-37 (May 31, 1952).

⁵⁰ Figures on Conservative educational background are taken from Ross, "The 1951 House of Commons" (cited in note 10). Another analysis by Ross (of the 1950 House) included the summary statement that only one out of every forty Conservative M.P.'s had attended the elementary school, but that six out of seven Conservative voters had

These educational statistics do not mean that Conservative M.P.'s are predominantly of the aristocracy. The bulk of public school graduates are likely to be of middle and upper-middle class origins, since education of that standard is cherished by most parents of professional status. Nevertheless it is true that fully one-third of Conservative M.P.'s do have close connections with families of hereditary title, and that the top-level party leadership reflects the tradition of the British ruling class. An aristocratic element is, if anything, more prominent in the postwar party, especially in the 1951 Government, than it was in the interwar cabinets of Baldwin and Chamberlain. Men of the nation's traditional political class, like Churchill, Eden, and Salisbury, have not entirely superseded the businessman emphasis of the 1920's and 1930's, but there is no sign that the party regards their class status as anything but an entirely normal feature of Conservative leadership.

Traditional respect for the virtues of a ruling class is, in some sense, built into the structure of the Conservative party. Or at least it looks so in contrast to the deliberate equalitarianism of Labour party proceedings. Not only are Conservatives generally content to accept as party policy what is handed down from above, but they surround their Leader, as he is unabashedly called, with a ritual designed to elevate his status above that of ordinary intra-party debate. Whether he is the head of a government or merely of a parliamentary opposition, the Leader appears to deliver his address to the annual Conservative conference only after debate has formally concluded. Although he cannot presumably ignore the wishes of his followers, the Leader customarily issues the party's election manifesto as his own statement rather than that of any representative committee. More significant than the mechanical arrangements is the subtle atmosphere of respect for established leadership that pervades Conservative ranks. Despite well-known conflicts over position and policy, open attacks calling for repudiation of the party's top personalities would be outlandish behavior at a Conservative public meeting. The many rank-and-file activists who are of middle-class background emulate their social superiors in avoiding any such display of bad taste. Conservative conferences even perpetuate the address "My lords, ladies and gentlemen" as the customary way of beginning a speech.⁵¹

While maintaining the form and some of the substance of its aristocratic traditions, the Conservative party has tried to remove institutional barriers to the recruitment of fresh talent at the leadership level. No plainer sign could be found than the reform in the methods by which constituency associations choose their parliamentary candidates. The local selection process had long been subject to a nominal central control, formalized but not made stronger after the war by a specific provision that an association, if it wanted central

done so. "The Personnel of the Parties," *The British Party System*, ed. Sydney D. Bailey (London, 1952), pp. 168-70.

⁵¹ An American should perhaps take care to avoid exaggerating the significance of this type of affront to his social equalitarianism.

campaign support, had either to name a candidate from an approved list drawn up by a committee operating from party headquarters, or secure (before adoption) the committee's approval of the prospective candidate.⁵² Taken alone, this provision left room for the continuation of the widely prevalent prewar practice of selecting from among several approved candidates the one who was willing to make the largest financial contribution to the local association. In 1944 the party had forbidden candidates to subscribe more than 100 pounds a year, but it was still possible, within this rather high limit, for local selection committees to collect bids, particularly in constituencies which Conservatives had a good chance to win. After the war a concerted effort was made to end this plutocratic bias. In 1948, the party ruled that no candidate should give more than 25 pounds, and no M.P. more than 50 pounds. Also it was established that "in no circumstance shall the question of an annual subscription be mentioned by any constituency selection committee to any candidate before he has been selected."⁵³

Whether this prohibition can be fully enforced may be questioned, but there can be no doubt of the party's genuine desire to emphasize political talent in the selection of parliamentary candidates. That the policy had some practical effect is attested by the universal admission that the large crop of young Conservative M.P.'s newly elected in 1950 contained an unusually high order of ability. Whatever sting might once have been carried by the old opposition taunt that Conservatives were the "stupid party" has assuredly become inappropriate in the present parliamentary situation. In light of the Tory intellectual revival already noted, it is plain that the British party of the Left has nothing like a monopoly of what Americans, inelegantly, have called "egg-heads."

Some of the party's postwar recruitment has been the result of a movement of previously Liberal or independent opinion. Take, for instance, the personal political history of Sir Arthur Salter, who (before he was accorded a lordship in 1953) first served from 1937 to 1950 as an Independent M.P. representing one of the now abolished University constituencies and then for two years after 1951 as a Conservative and a member of Churchill's ministry:

... in the years before the war I was opposed, on most issues, to the Conservative Governments of Mr. Baldwin and Mr. Chamberlain. In the 1945 Parliament I watched, still as an Independent, both Socialism in practice and the evolution of Conservatism in reaction to it. I came during this period to two definite conclusions: first, that socialism as understood and applied by the Socialist Government was undermining the national economy and threatening the personal liberties for which Liberalism has stood; second, that Conservatism had so evolved as to be much nearer to the prewar Liberalism than to either the older Conservative or present Socialist policy. I found myself, therefore, while applying the same principles as I had professed when I first stood as an Independent, consistently supporting the Opposition. It was, as far as I could judge, not that I had

⁵² *Final Report* of the Committee on Party Organization (approved by the Central Council of the Conservative and Unionist Associations, July, 1949), pp. 31-33.

⁵³ *Interim Report* of the Committee on Party Organization (approved by the Conference of Conservative and Unionist Associations, Oct., 1948), p. 13.

myself moved to the Right, but that the Right had moved towards what had been before the Center.⁵⁴

Despite its polemical quality, this passage does ring true as a description of the moderate's state of mind when almost forced to choose between the two major parties during the accelerated bipolarization of postwar British politics. Many Liberal activists, wedded to an anachronistic free trade doctrine, have still refused to make the choice, but for those willing to forsake the old party, Conservatism looks as hospitable as it does for Independents. A Liberal's social conscience is increasingly at home in the postwar Conservative party.

Moderate opinion tends to be further impelled in the Conservative direction by any appearance of left-wing ascendancy in the Labour party. Liberals and Independents are much less likely to be attracted by socialist doctrinaires than by Labour's humanitarian reform element. Consequently the Conservative party has a vested interest in the growth of Bevanism in the Labour movement. Convinced that root-and-branch socialism is incapable of winning an election, Conservatives feel they have something to gain politically by the rise of Aneurin Bevan and his followers to dominant positions in Labour councils. Even without such an unlikely event, Conservatives have found it expedient to emphasize the relatively minor but highly articulate Marxist component in Labour thinking. While ordinarily refraining, since 1945, from a simple condemnation of Labour as communism in disguise, Conservative leaders have not hesitated to describe a full development of British socialism as similar, in essentials, to the Russian system.⁵⁵

The Conservative stake in Labour's potential extremism is important in an area somewhat beyond the contest for the allegiance of former Liberals and Independents. It is also related to the patent desire to win increased working-class support and particularly to the long-range Conservative design of modifying the voting habits of the bulk of trade unionists. The latter is at once the most difficult and the most important of tasks. The unions do not merely support the Labour party. Practically speaking, they are the largest section of that party, and to date entirely capable of containing the doctrinaire socialist forces which have always pressed for a policy to the left of that favored by the hierarchy of union leadership. So long as that situation prevails, all that an increasingly favorable Conservative disposition toward unionism can do is to prepare for a still unforeseeable Labour defection, and in the meantime try to increase the number of trade unionists—now claimed to be 3,000,000—who vote Con-

⁵⁴ A. Salter, "British Conservatism Today," *Yale Review*, Vol. 41, pp. 1-12, at pp. 5-6 (Sept., 1951).

⁵⁵ For example, R. A. Butler's "We must never forget that the Socialist faith is simply an off-shoot of the Marxist doctrine" (May, 1948); Harold Macmillan's picture of the "Socialist State, when all the means of production, distribution and exchange—that means all industry, all shops and all banking,—become State enterprises, as in Russia" (July, 1949); and Winston Churchill's "there is no real difference between a full application of the Socialist system and Communism" (July, 1949). *Conservatism: 1945-1950*, pp. 91, 103, and 106.

servative despite the Labour party ties of their organizations.⁵⁶

Establishing their friendship to trade unionism has not been an entirely strained role for Conservatives. In spite of an inevitable identification with the old-time employer opposition to union organization and more particularly with the restrictive legislation that followed the 1926 General Strike, the Conservative party could fairly claim that for some time past it had accepted unionism as one of the facts of British economic life. The party remained opposed to a few union practices like the closed shop,⁵⁷ but generally in the postwar years Conservatives asserted that their policies were more favorable to unions than were the long-run aims of the Labour party. This superficially unconvincing assertion rested on the view that collective bargaining, involving the right to strike, was more secure under competitive private enterprise than under a prospective socialist order where there would be no alternative employer to the state.⁵⁸ The policy of socialism, in the words of one conference resolution, was "inconsistent with both the principles and practice of free Trade Unions."⁵⁹ The Conservative ideal of a union was one that would "look after wages and hours and conditions" and not "play politics."⁶⁰

A positive interest in unionism was largely a postwar phenomenon. Whereas before 1939 the Conservatives had "Labour Advisory Committees" whose role it was to support non-unionist workers in various constituencies, after World War II these were replaced by "Trade Union Councils" meant to encourage Conservative workers to be active unionists exercising as much internal political influence as possible. Unions were now officially recognized within the party structure and on a generous scale. Each constituency association was supposed to send one trade unionist representative to the annual conference, and also to have the chairman of the local Trade Union Council as a member of its own executive body.⁶¹ This recognition was not proportionate to the activities of unionists in the Conservative cause, but was a means of fostering increased future participation. So far, while the trade unionists who appeared at party

⁵⁶ The frequent Conservative claim of 3,000,000 trade unionist voters is cited by B. C. Roberts, "Trade Unions and Party Politics," *Cambridge Journal*, Vol. 6, pp. 395-98 (April, 1953). What the Conservative party would appreciate, but can hardly hope for, is an adoption by trade union leaders of the traditional American Federation of Labor policy of rewarding labor's friends and punishing its enemies—without any fixed arrangement with one party. Although at present this seems inconceivable, there are occasional signs of T.U.C. restiveness with the current Labour party relationship. See *The Economist*, Vol. 169, pp. 85-86 (Oct. 10, 1953), for an account of indiscreet remarks about a "candid examination" of the relationship made by Tom O'Brien, chairman of the T.U.C. in 1953. O'Brien was not considered typical, but subsequently there was a story concerning the plans of other and more important T.U.C. leaders to reduce their unions' contributions to the Labour party's general fund and to increase the sums given to individual Labour party candidates of the unions' own choice. *The [London] Times*, Oct. 31, 1953, p. 3.

⁵⁷ *Industrial Charter* (cited in note 25), pp. 21-22.

⁵⁸ Speech by Sir David Maxwell Fyfe (Nov., 1949), in *Conservatism: 1945-1950*, p. 122.

⁵⁹ *71st Annual Report* (cited in note 31), p. 52.

⁶⁰ Sir David Maxwell Fyfe, *ibid.*, p. 56.

⁶¹ B. C. Roberts, "Trade Unions and Party Politics" (cited in note 56).

conferences were more than "trained seals" (as Labour politicians called them), they were without large organized followings.⁶²

Nothing in postwar Conservatism's anxiety to court trade unionists has been more pointed than the party's changed position with respect to governmental regulation of labor organizations. While this item might have been considered as an aspect of the Conservative postwar program, its importance is more obviously tactical in nature. At issue were the terms of the Trade Disputes Act of 1927 which had forbidden general and sympathetic strikes, prohibited civil service unions from having outside affiliations, and made it necessary for unions collecting political contributions from members to get their express consent (contracting-in rather than contracting-out). The Conservatives while in office even through the war had always refused to alter the act to meet the continued objections of trade unionists. And in 1946 when Labour repealed the controversial legislation there was a vigorous Conservative opposition, particularly against the shift from the contracting-in requirement to the practice of allowing unions to collect a political contribution along with a member's dues unless the member specifically contracted out of the levy.⁶³ This procedure was manifestly to Labour's financial advantage,⁶⁴ but otherwise the repeal had no immediately important consequence except to satisfy unionists that the supposed punitive spirit of 1927 was wiped off the statute books.

Insofar as Conservatives continued to stand for the principles of the 1927 Act, they undoubtedly imposed a handicap on their campaign to recruit trade unionist support. Yet it was no easy problem for Conservatives to accept repeal of the regulatory legislation whose virtues they had insisted on for twenty years. Even in the deliberately progressive *Industrial Charter* of 1947 the party maintained its intention of restoring the principal features of the old Trade Disputes Act.⁶⁵ However, before the next General Election this stand was softened to the point of promising to consult the unions on issues where, it was admitted, "Conservatives have strong convictions of principle."⁶⁶ Finally, during the 1951 election campaign even this much of the party's attachment to the old law was officially suppressed in the interests of minimizing trade unionist suspicions.⁶⁷ In fact, when Labour campaigners seized on the promise to consult before introducing any legislation as only a thinly veiled Tory persistence in the principles of the 1927 Act, Conservatives responded with positive assur-

⁶² Individual unionists have taken part in Conservative campaigns, and there is a report of one successful parliamentary candidate who emphasized his union activism and was supported on a Tory platform by an official of his union. R. S. Milne, "A West Country Constituency," *The British General Election of 1951* (cited in note 33), p. 217.

⁶³ *H. C. Deb.*, Vol. 419, cols. 192-307 (Feb. 12, 1946) and cols. 386-490 (Feb. 13, 1946).

⁶⁴ From 1946 to 1950 the number of union members affiliated to the Labour party rose from 2,635,346 to 4,971,911. "Trade Unions and Party Politics" (cited in note 56), p. 390.

⁶⁵ *Industrial Charter* (cited in note 25), p. 22.

⁶⁶ *This Is the Road* (Conservative Central Office, 1950), p. 12.

⁶⁷ *Britain Strong and Free* (cited in note 32), pp. 17-18.

ances that they accepted repeal. Winston Churchill was now unequivocal: "The Conservative Party has no intention of initiating any legislation affecting trade unions should we become responsible in the new Parliament."⁶⁸ For maximum effect, Churchill subsequently repeated the statement, and it was echoed by Sir David Maxwell Fyfe, who had been associated with the framing of Conservative industrial policy and especially suspect in relation to trade union legislation. Maxwell Fyfe became most explicit when he said that the party had concluded that "whether the political levy is paid by contracting in or contracting out is an internal matter" for unions themselves to settle.⁶⁹

Not only was the Conservative Government faithful to this somewhat painful conversion but in its first two years of power it was also abundantly conciliatory to unions. Churchill's selection of Sir Walter Monckton as Minister of Labour was a happy one, since Sir Walter, new to Parliament in early 1951, had neither a political past to live down nor any kind of record of hostility to union interests. On the contrary, he enjoyed a nonpartisan reputation for fairness and ability. Monckton became the symbol of the Conservative Government's policy of proving to the Trades Union Congress that its influence, so direct in the case of the old Labour regime, could also be brought to bear—though in different channels—on the decisions of the new administration.

Conservative regard for the views of union leaders, particularly for the clearly moderate ones, was reflected in other ways as well. For example, following the denationalization of steel, the Government named a principal anti-Bevanite unionist, Sir Lincoln Evans (general secretary of the Iron and Steel Trades Federation), to the full-time post of vice-chairman of the new regulatory Iron and Steel Board, and also selected two other members of the T.U.C. General Council as part-time members of the board. There was a chorus of left-wing protest against the designated unionists for "selling out" to Labour's enemies, and it became necessary to find another trade unionist to replace one of the part-time appointees who withdrew under pressure.⁷⁰ But the significant political point was the Conservative success in gaining any appreciable degree of trade union collaboration. The circumstance had not been favorable, since unionists were so clearly being asked to make effective a particular industrial policy which their political party had opposed and had pledged itself to reverse by renationalization at the first opportunity.

Further cooperation of this sort with trade union representatives would still leave Conservatives some distance from the destruction of the class-consciousness that binds the majority of British industrial workers, at least as much as their leaders, to the Labour party. Such a change, if it comes at all, would have to be a very gradual one—perhaps equivalent to a growth in the proportion of the population able to think of itself as middle-class. Of course, that proportion

⁶⁸ *The [London] Times*, Oct. 13, 1951, p. 6.

⁶⁹ *Ibid.*, Oct. 20, 1951, p. 4. Also Oct. 15, 1951, p. 2.

⁷⁰ *Ibid.*, May 22, 1953, p. 8, and May 28, 1953, p. 4.

is already high (49 per cent classified themselves as middle-class in response to a 1948 British Gallup Poll),⁷¹ and every election study agrees on the significant coincidence of such self-identification with Conservative voting habits and with Conservative political activism. For instance, it has been found that among workers *in essentially similar occupations* those who evaluated themselves as middle-class indicated a much higher percentage of Conservative voting preference than did those who called themselves working-class. This tendency held both for manual workers and for black-coated (or clerical) employees.⁷²

Speaking generally of Conservative political support, it is likely that the party would benefit not only from an increasing tendency toward middle-class self evaluation but also from a further growth in the proportion of non-manual workers. Conservative preferences rise markedly in relation to what is called "intellectual status." Thus in one survey while only 31 per cent of the manual workers were Conservative in their voting intentions, the figure rose to 48 per cent among those classified as intermediate and to 52 per cent among non-manualists.⁷³ Another study has made it clear that non-industrial workers such as clerks and shop assistants constitute one of the largest occupational classifications in which Conservatives can poll a majority vote.⁷⁴ The Conservative proportion in this category is not so high as it is among business proprietors and members of the professions, but the absolute numbers are, of course, much larger.

It was this section of the electorate to which the Conservative party was appealing in its most distinctive postwar program: the building of owner-occupied houses. The impact of that particular policy may not be so great in and of itself, but it is indicative of the stake contemporary Conservatism has in the aspirations of the middle class. Political identification with those aspirations, by encouraging home ownership or by other means, is as characteristic of the postwar Conservative party as association with the interests of the working class is of the Labour party. Whether Conservatism enjoys a long tenure of office may depend on the extent to which essentially middle-class attitudes thrive at the edges of the working class.

⁷¹ Cited by Roy Lewis and Angus Maude, *The English Middle Classes* (New York, 1950), p. 9.

⁷² F. M. Martin, "Social Status and Electoral Choice in Two Constituencies," *British Journal of Sociology*, Vol. 3, pp. 231-41, at p. 236 (Sept., 1952). Also Mark Benney and Phyllis Geiss, "Social Class and Politics in Greenwich," *ibid.*, Vol. 1, pp. 310-27 (Dec., 1950).

⁷³ John Bonham, "The Middle Class Elector," *ibid.*, Vol. 3, pp. 222-30, at p. 227 (Sept., 1952).

⁷⁴ A. H. Birch and Peter Campbell, "Voting Behavior in a Lancashire Constituency," *ibid.*, Vol. 1, pp. 197-208, at pp. 201-2 (Sept., 1950).

"NEUTRALISM" IN ASIA*

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Many Americans view "neutralism" as a new type of social disease. Its probable causes: intimacy in some form with communism; its symptoms: mental confusion and moral dereliction; its cure: unknown. This is a somber diagnosis, filled with implications of doom for the "victims." But our warnings and protests have been to little avail. Most "neutralists" have deliberately rejected them, and the "disease"—if that be its proper designation—has approached epidemic proportions in many areas. Among the centers of infection, Asia is certainly the region where "neutralism" has shown its most consistent strength and taken its most diverse forms. And however much they may lament it, Americans must recognize the fact that Asian "neutralism" can be neither ignored nor talked out of existence. In our own interests, therefore, we should seek a more complete understanding of this highly complex force—its causes and effects, and possibly its implications for future American policy. Understanding does not necessarily mean acceptance; it does permit a more accurate calculation of alternative risks, and this is the vital element in decision making.

At the outset, the problems of definition and terminology must be raised. It is not easy to define or describe "neutralism" in such manner as to obtain the largest measure of agreement from all parties concerned. Frequently, the word is intended as an epithet, with connotations similar to those suggested in our opening sentences. In other cases, the expression is used as if it were a symbol of virtue, a literary badge of honor. To attempt a dispassionate definition, it can perhaps be said that Asian "neutralism" in its current usage is a term applicable to those policies and attitudes representing a rejection of extensive commitment to either side now engaged in the cold war. It must be recognized, however, that while most of the Asian "neutralists" would accept this description of their position, many resent the label attached to it. Opposition to the term "neutralism" by those for whom it is intended stems from several considerations. There is the insistence that even when given its most generous interpretation, such an appellation is too negative and too passive. There is also the feeling that it suggests unfairly a lack of responsibility concerning world affairs. Some of the "neutralist" arguments on these points might be set forth briefly as follows: Ours is a position based upon positive actions and equally positive beliefs. Sometimes these coincide with Western desires and interests, sometimes with those of the Soviet Union, on many occasions with those of neither country. Our main objective, of course, is to maintain a position toward international affairs consistent with our own interests and values as we see them. We

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are confident, however, that it is not only a positive position, but one which contains constructive proposals for reducing world tension and developing a firmer basis of cooperation among nations. We have participated in international affairs to the limit of our capacities as long as it was consistent with our clearly-stated views. Indeed, we have achieved some measure of leadership in pressing for a solution to certain current world problems. We have followed the practice of abstention only when any other course would jeopardize our basic beliefs, not because we are afraid to stand up and be counted. The record will bear out the fact that we have not been neutral in terms of issues and principles; rather, we have been independent.

It is the word "independent" which climaxes this defense, for those whom we call "neutralists" generally think of their policies and attitudes not as "neutralism" but as "independence." The above arguments are probably a fair representation of the views held by most of the leaders in India, Burma, and Indonesia—the so-called "neutral bloc" in East Asia. Modified somewhat, they could also be used by most of the individuals and groups espousing "neutralism" throughout Asia, although one of the complexities with which we must deal is the fact that "neutralism" stems from diverse interests and philosophies. It differs greatly in orientation and degree, and knows no single line of defense. The position outlined so briefly above comes closest to expressing some of the views of the moderates—those "neutralists" whose general opinions have the most in common with the values of the Western democracies.

Even so, this defense would not satisfy most Americans, including many who consider themselves sympathetic to the problems of modern Asia. Instead of seeking to present their rebuttal, however, let us turn directly to the basic issues. I shall continue to use the word "neutralism" in quotation marks, for while I do not accept its implications fully, neither do I find an adequate substitute in such a phrase as "independent policy." At the outset, it may be helpful to make a distinction between "neutralism" as a policy and "neutralism" as an attitude. If applied too rigidly, this distinction can be challenged as artificial, but used properly, it is not only a convenient technique to make clear certain major aspects of the problem, but also a method that can be defended in logic and fact. Neither the causal-effect relation between attitudes and policies nor the degree of correlation between the two can be defined by any simple formula. And this is true whether one is referring to an individual leader or to the larger components within a society. It is an error to study "neutralism" without these factors in mind.

"Neutralism" as an official policy in East Asia has thus far been identified primarily with the three countries previously mentioned: India, Burma, and Indonesia. The Indian role, moreover, has been so clearly predominant that it might seem preferable at this point in the analysis to concentrate on India alone and place heavy emphasis upon one man—Nehru. I am willing to make substantial concessions to this approach without adopting it. Indian foreign policy has certainly been the cornerstone up to date for the Asian "neutralist" bloc. Few if any innovations have been introduced by the others, although actions

have not always been uniform. And no one would deny that Indian policy contains its strongly personalized elements. Nehru's philosophy and personality—ambivalent and complex—are easily discernible. His influence, moreover, extends far beyond India and is quite apparent in Burma and Indonesia. Is "neutralist" policy in South Asia, then, nothing more than Nehru's policy? The most fundamental answer, it seems to me, must be in the negative. Nehru, for all of his unique qualities, is in a certain sense a type. In this sense, there are many Nehrus in Asia—Nehrus without India, Nehrus without Gandhi, Nehrus, of right and left, with and without power. They are a response to the broad forces which have played upon them and their societies. And to the extent that the interaction of these forces creates similar national and personal problems, it creates also tendencies toward similar approaches. The most basic causes for a receptivity to "neutralism" among certain nations and groups are to be found in this realm; no highly personalized explanation will suffice. And evidence on this score can be garnered not only from contemporary Asia, but also from other eras and societies, as we shall note.

What, then, are the foundations upon which "neutralist" policy in South Asia rests? The Asian "neutralist" would answer this question by invoking that much debated concept, the national interest. It is not necessary here to explore the controversy which has raged over "the national interest" theme. It is sufficient to emphasize as forcefully as possible that the first line of defense for "neutralism" in India, Burma, and Indonesia has been built around this concept. To rely successfully upon such a broad thesis as "the national interest" is an obvious advantage as compared with such alternatives as reliance upon a thesis of class or group interest, or any given ideological adherence. It is also extremely difficult, and yet to a remarkable extent it has been accomplished, thus far at least, in the above countries. Any central explanation must focus upon what might be described as the two massive facts of these societies: first, the recency and nature of the nationalist revolution; second, the serious domestic problems of this transitional period.

The implications of nationalism will be discussed more fully later on, but here it must be noted that the so-called "neutral bloc" of South Asia share both a common timing and relatively common circumstances in their emergence from colonialism. And as a result of these factors, the nationalist argument can reach a level of intensity as an appeal comparable to that of arguments resting upon a thesis of religion or class, with the further advantage of being much more comprehensive in its coverage. While this is a significant aspect of all Far Eastern politics, conditions have given it particular force in the countries under discussion.

With regard to the second factor, it is certainly no exaggeration to describe the general domestic situation in the South Asian countries as critical. Political and economic stability remain to be achieved, and even national unification is incomplete. Economic problems are particularly pressing in India and Indonesia, and no basic solutions have been discovered. In all three of these countries, the political situation is precariously balanced, with the present govern-

ments in power representing a middle-of-the-road position and being subject to assaults of varying intensity from both right and left. The moral fervor and political unity achieved in the heat of the independence movement have shown an inevitable decline. Leadership faces the serious problem of combatting moral and political disintegration. And naturally the military strength of the present governments is scarcely equal to the task of preserving order even on the home front; in most cases it is a weak and uncertain element in the political picture. Even so, it is a serious drain upon the limited resources of the society.

Thus the immediate situation in these countries tends to reduce possibilities in the field of foreign policy to two broad alternatives. One is active partisanship in world affairs combined with extensive military and economic support from foreign sources. The other is a policy of international participation strongly conditioned by its possible influence upon the domestic scene and its impact upon the major powers. Both policies involve substantial risks. Any success with the first alternative depends upon such factors as the consistency of action by the major powers; the military feasibility of foreign protection; and, perhaps most important of all, the internal repercussions of dependency and a certain amount of foreign supervision and control. All of these risks, and especially the last, militate strongly against its being adopted at present by such countries as India, Burma, and Indonesia. There is grave uncertainty in Asia as to which general course American foreign policy will follow with regard both to the Far East and to the world; there are equally serious doubts as to the strength of the other Western democratic powers, and about some of their actions. In any case, grave doubts have been entertained as to how adequately and at what cost nations on the continent of Asia could be defended by means of Western power, even if events caused or forced them to consider it desirable. The lesson of Korea may not be a valid one for the future, but at this point it has been an impressive one to many continentals, and it is extremely doubtful whether it would have been less impressive had we scored a greater military victory, in view of the enormous sacrifices of the Korean people. On the other hand, the power of nearby Communist China is now treated as a fact by many Asian leaders besides Nehru.

But the greatest problem to be surmounted, should the first alternative be chosen, would undoubtedly be that of losing control of the nationalist movement. Practically all the statesmen of these three countries are both leaders and prisoners of that movement. At present, it is not merely advantageous to cast political appeals in nationalist terms; it is a necessity. The political struggle in these areas still focuses around the battle to capture the nationalist symbols. Each competing group must claim to have inherited that revolutionary movement which had as its central emblem the struggle against Western imperialism. In South Asia, such epithets as "imperialist" and "supporter of Western exploitation" are as dangerous as terms like "fellow-traveler" and "Communist" in America. Thus a foreign policy which can be easily defended as "independent" is the most potent weapon available to men like Nehru and U Nu against some of their opponents, particularly the domestic Communists. More-

over, any other policy would represent a break with a tradition composed of concrete pronouncements and actions as well as generalities. An examination of the numerous foreign policy statements of the Indian Congress party during the period of British rule reveals clearly the strong element of continuity involved in present Indian foreign policy. In this connection, one must not forget that leadership for the most part is in the hands of first generation "revolutionaries," including men whose prestige in South Asia is connected with a lengthy public record on most of the current issues. In this as in other respects, the colonial era still casts a long shadow over the policies of people who have just gained political independence.

Hence the second alternative, despite its obvious risks, becomes the most natural choice, and in the eyes of present leaders the most reasonable. Its dictates are simple but compelling. It must take account of internal weakness and the urgent nature of domestic problems. Thus, foreign partisanship, at either the individual or the national level, is regarded as a development likely to produce further cleavages in an already confused situation. And under the circumstances foreign policy must be the pillar of strength, capable of being sustained on the basis of its own emotional and political appeal, so that the governments in power can fight with some advantages the inevitable crucial battles over domestic policy. Involved in this second alternative also is the necessity for appraising in realistic fashion power abroad, both actual and potential, and then seeking to reduce any threats by relying largely upon a policy of conciliation and compromise, at least until that time when military strength and internal stability may permit the consideration of other approaches. But it need not be a policy resting upon moral suasion and compromise alone. There is also the possibility of creating a position of power not through military strength but rather through a strategic political position attuned to the nature of power politics in the modern world.

A very considerable part of "neutralism" in its official policy forms may be explained in these terms. And actually, when Americans read their own history, they can find interesting parallels. When Citizen Genet threatened to disrupt further the precarious political situation in post-revolutionary America and plunge this weak and struggling country into a large-scale conflict between major powers, many of our governmental leaders registered their emphatic opposition. It was during this period that President Washington issued his famous Neutrality Proclamation of 1793, an important landmark in the history of early American diplomacy. Our military strength was negligible; our economic problems were critical; our political cleavages were serious, and they were being exacerbated by the threat of violent partisanship in America over European politics. There were those who argued convincingly that we could not stand by idly in the struggle between democracy and autocracy in Europe. Men like Genet were doomed to bitter disappointment because their cause was not given the full measure of support from our leaders which they thought it deserved. There is no doubt that in a man like Hamilton ambivalence toward the democratic creed—and particularly toward such a movement as the French

Revolution—played an important part in causing the rejection of such proposals. Indeed, since a Hamilton had his counterpart in a Jefferson, the internal balance of foreign favoritism was an additional drag upon official partisanship. Yet essentially the decision was based upon the realities of American weakness; the concept of non-involvement with the major powers was argued most forcefully by reliance upon the thesis of the national interest.

It was this concept that has been termed American isolation, and despite the fact that American attitudes were much more unified on behalf of the democratic creed than those of modern Asia, our policy of official aloofness from European causes and conflicts remained relatively stable throughout the nineteenth century. Not only in its major facts, but also in many of its nuances, this era of American diplomacy bears a certain resemblance to the current situation in the Asian "neutralist" states. For instance, our policy naturally placed heavy emphasis upon American moral superiority and even used the thesis that old world evils were almost indistinguishable in kind and degree. Perhaps we can appreciate today how much these tendencies infuriated the people of Europe.

One must resist the temptation to draw a closer parallel here than actually exists. There are differences and some of them are very important. It is not possible, of course, for the contemporary South Asian societies to follow a policy of isolation, even to the extent that this term is applicable to early American policy. This is the twentieth, not the nineteenth, century and we have now a much more interdependent world. In a sense, however, the present foreign policies of India, Burma, and Indonesia constitute a kind of modern substitute for the outmoded isolationist approach that contains some of its elements. "Neutralism" is a basic technique of limiting involvement with the major powers and thereby avoiding the kind of crisis which such involvement might well produce. In a situation where isolation in its old forms lacks political realism and is also incompatible with the ideological tone of the Asian revolution, and yet retains some of its historic justification, the present policy offers a solution fairly consistent with both the interests and attitudes of these societies. This policy seeks to protect and advance so-called "national interests" in the international arena while at the same time seeking to retain, as much as is possible in our present world, safeguards against heavy involvement with the great powers of today. It attempts this by avoiding a pattern of consistent alignment on one side—by using abstention and "concurring opinions" (to borrow a phrase from our judicial system), so as to establish a position which cannot be identified completely with either power center. Naturally, factors of ideology and attitude lend essential support and make such a policy feasible, but it is important to establish first its basis in *real politik*.

"Neutralist" exponents do not push the claim that their policy will prevent involvement should another world war occur, although popular hopes in this direction generally accrue to their advantage. Much of the nineteenth-century optimism that participation in war could be avoided has gone with the tide of recent events, and the classical defense of isolation on this score represents a

relatively minor part of "neutralist" arguments. The present defense of "neutrality" is that it can help prevent war. A substantial part of this theory is based upon the old balance of power theme, though that phrase is rarely used. It is the "neutralist" contention that we now have a bi-polar world and that this represents the most dangerous political form in terms of reducing tensions and avoiding conflict. Most "neutralists" like to consider themselves a "third force" holding a position that can save the world from self-destruction.

The "third force" concept deserves close examination, so important is it to the general attitudes and actions of all "neutralists." Once again, our initial discussion will revolve largely around its strategic implications, with the vital ideological-attitude factors reserved for a later point. Again, the problem of power is centrally involved. The idea of a "third force" can be attractive as a method of developing influence and power in the international scene despite internal conditions of great weakness. The political advantages of non-commitment—the power of the floating vote—are not inconsiderable under contemporary conditions. In addition, there is the prospect of becoming an important channel of communication between major power blocs and the initiator of both the ideas and institutions of international compromise. If these possibilities could be translated into realities, it would be the supreme vindication for leaders who have only recently emerged from the status of subversives. And like most leaders, these are not men without ego and ambition. Moreover, the prospect of importance is a great stimulant to the society as a whole, coming as it does so soon after the colonial era and the complexes produced thereby.

The "third force" idea is also an ally of regionalism, an objective of both historic and current importance to many people in the Far East. In its indigenous forms, the drive for Asian regionalism has been closely connected with the struggle against Western control. Under Japanese aegis, such slogans as "Asia for the Asians" and even "The Greater Co-Prosperity Sphere" had potency because of this fact. But now the concept of regionalism has new and dynamic implications. Many Asians would like to think of the "third force" as a group of nations recently freed from colonial status which together with peoples still under foreign control would act in concert on the international level. Such a union, they believe, can serve as a formidable pressure group to secure justice and recognition for its members. Actually this is an idea that goes beyond regionalism in many cases, to conceive of incorporating societies from diverse areas facing common problems of timing and development. Its basis for political unity supposedly lies in common nationalist aspirations and opposition to dictation by major powers, and in its common economic interests in such problems as technological development and safeguards against foreign exploitation. In some respects, the so-called "Arab-Asian bloc" has symbolized the bond between a "third force" and a "regionalism" of under-developed societies. The record of this group, together with the growing Asian interest in the African nationalist movements, has been hailed as evidence of the practicality of such a plan.

It is not difficult, of course, to discern many serious obstacles to this theory, especially as it is spelled out by some of its supporters. Among the "under-

developed" and "late-developing" societies, there are important differences in attitudes and problems; some of these have been graphically depicted both through historic rivalries and recent episodes. There is no inherent asset for regionalism in common problems, particularly those of an economic nature; they breed competition as frequently as cooperation, with the latter usually more dependent upon diversity. Moreover, it is impossible to conceive of such a group as a society of political equals, and there are already three potential leaders in Asia alone: India, China, and Japan. Problems of power and influence among these countries are likely to contribute at least as much to disunity as to unity. Despite these factors, it is easy to understand why there is a great appeal in the dream of a union of the "suppressed peoples", directed in many senses against the West, especially against what are considered Western excesses and prejudices. And whatever the deterrents to its complete realization, this dream will undoubtedly continue to find some forms of concrete expression. Certainly it has provided a powerful stimulus to the idea of a "third force" and the general policy of "neutralism."

Already we have moved toward a discussion of attitudes, and the preceding comments may serve as the transition. In this connection "neutralism" must be viewed at its broadest and most complex level, one encompassing philosophy, ideology, prejudice, and emotionalism. The setting can no longer be restricted to a few countries, but must extend to the whole of the Far East and, by inference, to many other areas as well. At the beginning, one must admit that there is no easy method whereby every pertinent factor can be included and assigned its appropriate weight. It may be wise to start with an attempt to relate to the problem three comprehensive forces which have been so important in contemporary Asian thought and life: the forces of eclecticism, nationalism, and Marxism.

The first of these, eclecticism, might be called the "tolerant component" of the modern Far East. It is deeply imbedded in the entire traditional background, and finds its current expressions in both the philosophies and the institutions of Asian societies. The quest for the greater harmony, for the complete synthesis of conflicting ideas, is still a primary objective. Challenges, to be sure, have not been absent in the modern period. Whatever its ultimate possibilities, Western science in its philosophic reaches has thus far been mainly the science of differentiation, with an emphasis upon empirical research aimed at identifying and categorizing the vast body of fact and ideas. Tendencies toward exclusivism have gained considerable strength from this trend. Out of the process of rigid logical and value distinctions, theories essentially exclusivist in nature emerged. If Western society has been generally characterized by exclusivism at the level of individual theories, it has, by the same token, emphasized vigorous competition among such theories, rather than placing any great premium upon harmonization. And certainly, in their impact upon Asia, Western ideology and religion have presented the case for such competition and the necessity for rigorous selectivity in very powerful terms. This has had a significant influence, and in fact the area is not without some subordinate traditions which lend support.

At the same time, however, the nature of modern Asian problems and certain recent trends in the West itself have served to sustain the eclectic tradition in general, and actually increase its appeal in some important respects. The Asian problem of adjustment to modern Westernism is the largest and most complex problem of synthesis that has ever faced these societies. The difficulties of adopting Western patterns intact and the impossibility of duplicating earlier Western evolution have strengthened the conviction among many Asians that they cannot use the old roads to reach their objectives, but only the old implements used to build those many roads, now to be borrowed from the diverse Western sources and refashioned into a uniform set of equipment for future tasks. If there is a fundamental logic in this position, there is also the risk of very great confusion at both the academic and the operating political levels on such issues as basic values and the degree to which seeming incompatibles can be rendered compatible. To many of us, this type of confusion is an impressive aspect of the Asian scene, ranging in form from simple naïveté to the tormented ambivalence of some of the most powerful minds in the Far East. But perhaps the supreme irony lies in the fact that most Asians do not recognize the degree to which the West now shares in this problem. The reaction here against exclusivism has been compounded out of many forces, but essentially it comes from the pressing necessity of developing new approaches to current problems, approaches involving synthesis and running similar risks of confusion. Still, Asia sees us—and particularly America—largely in the old image, the image of a rigid, inflexible society governed by a set of exclusive principles, and basically intolerant whether of people or ideas. Communist interpretations of us have certainly contributed to this belief; their attempt to posit our rigidity as the only alternative to theirs often produces a firmer desire on the part of Asia to avoid both if possible. But our interpretations of ourselves are often a great disservice to truth and to our own interests; if we were to take our stand with the concept of selective synthesis more positively, there would still be differences, some of them basic, but the real issues could be more easily posed.

The preceding discussion is closely connected with the psychology of "neutralism." The tendency of the "neutralist" is to regard each contemporary Western ideology as in and of itself inapplicable, and to see all as having a common denominator in their absolutist base. The commitment, therefore, to any specific ideological position as reflected either through a single Western nation or through a group of allied countries, is limited. There is a natural urge to maintain independence toward political and ideological lines that are considered in some measure artificial, and certainly incomplete. But complementing this critical attitude is a kind of broad tolerance toward rival ideologies which many Western liberals feel is indiscriminate. In this connection, I would venture the somewhat heretical view that in an important sense the bent of contemporary Asia is more practical than ideological, to the extent that such a distinction has validity. The primary test of an idea is its success in the practical field of governing, not its inner consistency or its adherence to the body of thought from which it sprang. There is, to be sure, a strong element of con-

flict in some cases between the desire for ideological consistency and policy defenses couched in terms of "ideological purity" on the one hand, and the urgent necessity for pragmatic action at the policy level on the other. But it is the latter course which largely governs actual policy in Asia, including its Communist as well as its non-Communist spheres.

If eclecticism can be called in some respects the "tolerant component" of the modern Far East, then nationalism is the "intolerant component." This is not to deny the Asian nationalist movement its justification and its quota of laudable goals. Nor is it to ignore the fact that Asian nationalism in many of its forms is striving for some type of synthesis with internationalism. It is simply to make the point that Asian nationalism like nationalism everywhere rests centrally upon an emotional appeal with hate, prejudice, and general irrationality playing an important part. And in connection with Asian nationalism, two facts are significant in analyzing "neutralist" attitudes. First, it has been a movement directed quite naturally against the West. Secondly, in its "progressive" forms, it has had considerable stimulus from Marxism in general and communism in particular. To mention this latter fact is to introduce the third and final comprehensive factor relating to Asian "neutralism."

It is obvious to anyone that nationalism is the only political movement that has approached mass proportions throughout modern Asia. It is also a movement dominated by the concept of a counterattack against Western power and attitudes of superiority; in recent decades, this attack has been fierce, unrelenting, and operating at all levels of sophistication. It still contains some of the most appealing symbols for the Asian mind. This is partially because they are symbols with continuing validity. But in any case the recency and the intensity of the attack make difficult any re-evaluation of the current Western position which would give full credit to the West when credit is due, and would raise before the public the more recent evidences of Communist imperialism. Consequently, the Western threat in both its political and its economic forms still looms up before many Asians, including almost all "neutralists," as the most immediate threat to be faced; as compared with it, the dangers of communism, and particularly external Communist aggression, are frequently considered remote. The term "imperialism" is still reserved almost exclusively for the West; even when the native Communists show sufficient power to make themselves respected or feared, the movement is viewed largely as an internal problem and a part of the indigenous revolution.

Actually, it is possible to make two broad divisions in the Asian nationalist movement, with reference to groups stemming from it. The first group might be called the traditionalists. In seeking to defend their society against the onslaughts of Westernism, they have relied largely upon traditional values and presented a defense that is distinctly anti-modernist. Their attack has ranged broadly over the fields of urbanism, commercialism, liberalism, and secularism. Their portrait of the West has placed its emphasis upon the surfeit of materialism and the paucity of cultural or spiritual values, and it has achieved particular depth of feeling when dealing with American society. It must never be for-

gotten that "neutralism" has its "right-wing" as well as its "left-wing" derivations; in Asia, this can be found wherever "neutralism" exists as an important force.

The traditionalist approach has complemented in a sense the attack of the modernists upon the West. If the latter group have accepted as desirable many of the end-products of Western civilization, such as industrialization and centralized power, they have been equally vigorous in opposing what they consider to be the use of these by the West against their own societies. And in many respects they have been strongly influenced by Marxism. The concepts of economic exploitation and of the state as an instrument of oppression fitted well into the pattern of nationalist attack upon the Western powers. Capitalism has borne odious connotations in the Far East partly because it was under simultaneous attack by both the traditionalists and the modernists; in Asia, certain forces of the Western seventeenth and twentieth centuries seem almost to be joined together under anti-imperialist banners.

In a broader sense, however, the influence of Marxism in Asia, especially among the intelligentsia, must be ascribed to the fact that Marxism has had greater applicability to the Asian scene than any other Western philosophy. The refinements of modern Western economic and political thought have generally been tailored to the problems of societies reaching increasingly complex levels within the industrial process. Thus the issues have been more and more removed from those societies whose basic economic and political forms are still relatively simple as related to this particular stage. The West has had the greatest opportunity to reveal the inadequacies of Marxism, with regard both to its initial premises and to its subsequent evolution. But in Asia Marxism has not only achieved a measure of integration with the nationalist revolutionary movement; it has also benefitted from the degree to which some of its central theses fit this stage of Asian development. As a result, while only a small portion of the Asian intellectuals are Communists, a very substantial number are deeply influenced by Marxism. And the intellectuals are important in the Asian "neutralist" movement not only because they are well represented in its ranks, but also because they are the leading publicists in many Asian countries, interpreting to the people their own and foreign societies.

Thus far we have been considering the broad forces of eclecticism, nationalism, and Marxism, in an attempt to discern the various sources of "neutralist" thought. Though these are what might be called the massive factors in the picture, there are other elements of importance. Certainly one is the great weariness of conflict and the omnipresent fear of involvement in another war. This is a widespread sentiment in the Far East, and while it does not represent automatic support for "neutralism," there can be no doubt that many consider the risks increased under conditions of open dependence upon or alliance with the United States or any bloc of Western powers. Another aspect of "neutralist" thought is related to economics: there is an inevitable desire on the part of most Asian business groups, and particularly those in Japan and overseas Chinese communities, to have trade and financial relations with all possible

sources. While this does not always lead to a "neutralist" attitude, it frequently contributes to a position of political aloofness on the major issue here posed. And it must not be forgotten that such a position has had a certain historic rationality for the Asian business class. A basically apolitical attitude or opportunism has often been the staff of life for the Far Eastern entrepreneur. Another factor lies in the political realm, and is perhaps connected more with policy than with attitude, though in reality it is an excellent representative of that element of fusion between the two. "Neutralism" in Japan, for instance, is promoted by some socialist groups because it appears to be a promising issue by which to attack those in power. This is not to belie the obvious sincerity of many Japanese "neutralists," but merely to underline the fact that policy-attitudes are affected by the degree of responsibility held and by the dictates of opposition strategy. And a final factor—to which various names might be applied—is, basically, indifference or ignorance. The greater number of "common men" in Asia are, for all real purposes, "neutralists" by default; their only deep commitments are to the immediate problems of livelihood and personal tension which contact with modernism has introduced. Mass indoctrination on an intensive scale has just begun in parts of the Far East, and in any case is likely to follow government policy in most areas.

Implicit in this analysis of "neutralism" both as a policy and as an attitude has been the fact that the causal factors presented have application in regions other than Asia. The emphasis, to be sure, would vary with different areas, and some points would have to be modified or omitted, but in spite of diversity and complexity "neutralism" in all parts of the world has its connecting links.

There remains the necessity of discussing briefly the implications of Asian "neutralism" to American foreign policy. First, it might be well to note the major points of opposition between the United States and most of the "neutralists" as they relate to current policy problems. Perhaps the most important cleavage over the past few years has involved our China policy. When Nehru said recently that the rise of China as a great power in Asia was the most significant fact of the postwar period, he was undoubtedly echoing the sentiment of a great number of Asians, including almost all of the "neutralists." Chiang Kai-shek and the Kuomintang have been written off by them as lost causes, and American policy is considered both unrealistic and an obstacle to reducing tension in the Far East. There is a strong feeling that realities demand the recognition of Communist China as the *de facto* government of the Chinese people, and there is an equally strong belief among the "neutralist" group that the nationalist element of the Chinese revolution will predominate, making China independent of Soviet power. This is an issue upon which both the stakes and the emotions run high, and the crucial facts are subject to widely varying interpretations. There is also opposition to American policy toward Japan. The common complaints are that we not only have failed to democratize Japan but now threaten to drive her down the path of renewed militarization. The Japanese "neutralists" have led this attack, supported of course by the Communists, and have given ammunition to "neutralists" in all parts of the Far East.

Finally, there is opposition to current trends of American policy in South and Southeast Asia; to the substitution of MSA with its military strings for the original Point Four Program; to the prospect of any military alliance in this area backed by American power; and to what is regarded as our support for French and British colonialism in this area.

Behind all of these objections there lie three focal points of difference between ourselves and the Asian "neutrals." They do not agree at present with our position that Russian-Communist aggression is a most serious and imminent threat to them. They believe that the danger of communism is primarily an internal threat based upon failures at home which might allow the Communists to move into a vacuum. And they believe that this threat, to the extent that it exists, can be best met by following a "neutralist" foreign policy. Secondly, the "neutrals" do not feel that our policy, on balance, will reduce world tensions; some would insist that it increases the risks of war, and this is their greatest fear. Finally, they are skeptical as to whether we understand or even approve of what they call the Asian revolution, and whether we are willing to modify our position in any significant respects to accommodate what they consider to be their interests.

All of these differences—both those on concrete policies and those on more fundamental points—indicate clearly that there is little likelihood of attaining complete harmony, and there is no point of talking in such terms. "Neutralism" is here to stay, not only as the official policy of certain countries, but also as an attitude in almost every country outside the Communist bloc (where there is probably more violent partisanship for as well as against us than anywhere else). Even among some of our allies, there are strong "neutralist" elements and, what is even more important, there is official agreement with certain of the specific positions which the "neutralists" take.

This suggests one of the objectives toward which we should strive: namely, to prevent difference from becoming antagonism, as regards either our allies or the so-called "neutrals." We cannot necessarily change their positions and we cannot always accommodate our position to theirs, but we can exercise more self-restraint with respect to the use of epithets which contain charges of stupidity, immorality, or cowardice. Admittedly this is difficult in a democratic society. It requires more leadership and courage on the part of our government than has yet been shown. If it can be achieved, however, it will pay dividends both to ourselves and to the world. We must discard the time-honored American thesis that all those who are not for us are "agin" us.

Moreover, we must interpret our society and its trends in line with the realities of the last three decades, not in conformity with the platitudes of the last century. We cannot hide our differences from the rest of the world, nor our major shortcomings. These have been thoroughly explored by our opponents, and usually exaggerated. The prevalence of fear in the United States, however, and various other signs of insecurity are very real, and until we conquer them we will be placed under severe handicaps in our relations with other people. There are some honest and intelligent "neutralists" in the Far East who sin-

cerely believe that the United States has become a fascist society. It is easy to blame the Communists for this, but the fault also lies within ourselves. We have done a fairly effective job of hiding some of the encouraging and dynamic facts that might aid the "neutralists" in obtaining a more balanced picture of American society. The United States is too frequently presented in ultra-conservative terms, and through clichés that are considered politically safe here at home. This fits Communist tactics perfectly.

There remains, of course, the question of policy itself, for in the final analysis this is the crucial test. It is not the purpose of this essay to present a detailed discussion of our foreign policy, especially as it relates to specific areas and issues. The "neutralist" problem, however, points up clearly the major dilemma confronting the American people. It is simply the question of whether we will accept the premises of international organization. We cannot hope to control all of the decisions of the United Nations, even though we have at present great advantages over the Communist bloc. Some important votes will go against us, despite our most energetic efforts. In our desperation, we may threaten secession with temporary effect, but as a long-range tactic it cannot possibly work. It will not only have a devastating effect upon our allies, thereby increasing "neutralism" in its most hostile forms; it will also develop further among ourselves the unhealthy psychology of self-righteousness, omnipotence, and omniscience to which we have been prone for understandable reasons. This psychology may be compatible with totalitarian leadership, and even necessary, but it can only destroy leadership in an association of free nations. And if this tactic will not meet the test of success, it is also possible that it will not meet the test of justification in terms of the correctness of our stand on the particular issue involved. The mark of liberalism has always been the acceptance of the possibility of error; there is no reason why we should abandon this tradition when operating at the international level.

Nor can we build further upon a psychology of fear and defense with any great hope of success. There are real dangers from modern totalitarianism, and these should not be ignored. Moreover, it has probably been necessary to approach our own people as well as others in this vein, so as to call forth sacrifices immediately which might not otherwise have been forthcoming. But now we have reached the point of diminishing returns both at home and abroad. Many of the repercussions in this country are alarming. The effect overseas has been to give the Communists almost all the advantages of the initiative. It has left us open to Communist strategy in the form of a broad peace offensive for which we have been too often in the past both politically and psychologically unprepared. We are now making certain attempts to meet this problem, but whether they will be sufficient is still unclear. The future power and tendencies of "neutralism" in Asia and elsewhere will be strongly affected by our ability to add more dynamic and positive qualities to the old approach. "Neutralism" will also be affected, of course, by Communist moves and by internal developments in the various countries themselves. But if our role is not the sole determinant, it is an important one, and this should be considered carefully in choosing our course of action.

CONSTITUTIONAL LAW IN 1952-1953

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There was no change in the personnel of the Supreme Court during the 1952 Term. But following the close of the Term, on September 8, 1953, Chief Justice Fred M. Vinson, who had been appointed to the Court by President Truman in 1946, died unexpectedly at the age of 63. To replace him President Eisenhower gave a recess appointment to Governor Earl Warren of California on October 2. The new Chief Justice was sworn in on October 5.

Two important developments in the constitutional law field during the period under review occurred outside the Court. One was the publication by the Government Printing Office, in 1953, of a newly revised annotated *Constitution of the United States*,¹ prepared by the Legislative Reference Service under the editorship of Edward S. Corwin. The annotations come down to June 30, 1952. The last annotated Constitution was published in 1938 under the editorship of W. C. Gilbert. The new work, an ample book of about 1400 large pages, is indispensable for students of American government.

Noteworthy also was the appearance of the first two volumes of William Winslow Crosskey's monumental study of the American Constitution, under the title of *Politics and the Constitution in the History of the United States*.² Professor Crosskey, who is a member of the faculty of the University of Chicago Law School, undertakes to prove, through the marshalling of a prodigious amount of contemporaneous evidence, that the framers of the Constitution intended to create a unitary and not a federal system of government. He believes that the Founding Fathers thought they were giving Congress a general legislative power over all national subjects, and that in addition the Supreme Court was intended to have general and final jurisdiction over all common-law questions heard in the state courts. If Crosskey is right, then every extant text on American government will have to be rewritten. The book is being discussed in unusual detail in the law reviews, other learned journals, and popular publications.³ On the whole, historians and political scientists seem to be far less

¹ Printed as Sen. Doc. 170, 82d Cong., 2d sess. The price is \$6.25.

² University of Chicago Press, 1953, 1410 pp.

³ The Autumn, 1953 issue of the *University of Chicago Law Review*, Vol. 21, pp. 1-92, contains four full-length articles on the Crosskey opus, written by Abe Krash, Charles E. Clark, Charles Fairman, and Walton H. Hamilton. For other reviews and review articles see: Arthur L. Corbin and George D. Braden, *Yale Law Journal*, Vol. 62, pp. 1137-54 (June, 1953); James A. Durham, *California Law Review*, Vol. 41, pp. 209-29 (Summer, 1953); Roger Paul Peters, *Notre Dame Lawyer*, Vol. 28, pp. 307-32 (Spring, 1953); William B. Jeffrey, Jr., *Louisiana Law Review*, Vol. 13, pp. 638-41 (May, 1953); Allan Nevins, *New York Times Book Review*, May 31, 1953, p. 7; Carl B. Swisher, *Saturday Review of Literature*, Vol. 36, pp. 33-34 (April 4, 1953); Lucius Wilmerding, Jr., *Political Science Quarterly*, Vol. 68, pp. 467-70 (Sept., 1953); Charles E. Clark, *The Nation*, Vol. 176, pp. 505-8 (June 13, 1953); C. P. Nettels, *Chicago Sunday Tribune* April 19, 1953, p. 9; Daniel J. Boorstin, *Commentary*, Vol. 16, pp. 602-4 (Dec., 1953); and Robert G. McCloskey, this REVIEW, Vol. 47, pp. 1152-58 (Dec., 1953).

enthusiastic than legal scholars. The present writer is deeply impressed by the author's industry, but is not convinced of the soundness of his thesis or of his underlying constitutional theory.⁴ Nevertheless, no serious student of American constitutional law can possibly ignore this study, which is full of extraordinary historical insights.⁵

The Supreme Court disposed of 1278 cases during the 1952 Term. There were 104 signed and six *per curiam* opinions. During the previous Term there were only 83 signed opinions. Of the 110 dispositions with full opinion, only 24, or 22%, were unanimous. Of 61 dispositions by memorandum order, 41, or 67%, were unanimous. In all, 198 cases were decided on the merits. Of these, 49 came from the federal district courts, 86 from the courts of appeals, four from specialized federal courts, and 59 from state courts. Of these cases, 88 came up on appeal, including three on certificate from courts of appeals, and 110 came by way of certiorari. The record for certiorari followed the pattern of recent years.⁶ On the appellate docket the Court denied certiorari in 540 cases, and granted 104 petitions, or 16.1% of the total (15.2% in 1951). As for the miscellaneous docket, the Court refused petitions for certiorari in 429 cases, and granted only eleven, or 2.5% (4.7% a year ago). Furthermore, the Supreme Court dismissed appeals in 36 cases, 19 for lack of a substantial federal question. In the previous Term appeals were dismissed in 50 cases, 37 because a substantial federal question was wanting. Again the discretionary element inherent in the Court's so-called compulsory jurisdiction is to be noted.

Dissenting opinions during the 1952 Term numbered 89 (as compared with

⁴ See my review in *The Progressive*, Vol. 17, pp. 36-39 (Oct., 1953).

⁵ For other writings during the period under review dealing with various aspects of constitutional and Supreme Court history see: *The Words of Justice Brandeis*, ed. Solomon Goldman (N.Y., 1953); Ernest R. Bartley, *The Tidelands Oil Controversy* (Austin, Texas, 1953); Roscoe Pound, *The Lawyer from Antiquity to Modern Times* (St. Paul, 1953); Arthur T. Vanderbilt, *The Doctrine of Separation of Powers and Its Present-Day Significance* (Lincoln, Nebraska, 1953); Note, "Judge Spencer Roane of Virginia: Champion of State Rights," *Harvard Law Review*, Vol. 66, pp. 1242-59 (May, 1953); Edward F. Waite, "How 'Eccentric' was Mr. Justice Harlan?," *Minnesota Law Review*, Vol. 37, pp. 173-87 (Feb., 1953); Donald G. Morgan, "The Origin of Supreme Court Dissent," *William and Mary Quarterly*, Vol. 10, pp. 353-77 (July, 1953); Carl B. Swisher, "Needed: A Rededicated Supreme Court," *The Johns Hopkins Magazine*, April, 1953, pp. 3-14; Arthur E. Sutherland, "The Supreme Court and the General Will," *Proceedings of the American Academy of Arts and Sciences*, Vol. 82, No. 4, pp. 169-97 (April, 1953); Eugene V. Rostow, "The Democratic Character of Judicial Review," *Harvard Law Review*, Vol. 66, pp. 193-224 (Dec., 1952); Eugene C. Gerhart, "A Decade of Mr. Justice Jackson," *New York University Law Review*, Vol. 28, pp. 927-74 (May, 1953); Alpheus T. Mason, "The Supreme Court: Instrument of Power or Revealed Truth, 1930-1937," *Boston University Law Review*, Vol. 33, pp. 279-336 (June, 1953); Merlo J. Pusey, "Chief Protector of the Constitution," *N. Y. Times Magazine*, September 20, 1953, pp. 13, 32-33. See also: *Judicial Administration and the Common Man*, *Annals of the American Academy*, Vol. 287 (May, 1953).

⁶ See Fowler V. Harper and George C. Pratt, "What the Supreme Court Did Not Do during the 1951 Term," *University of Pennsylvania Law Review*, Vol. 101, pp. 439-79 (Jan., 1953); Robert L. Stern, "Denial of Certiorari Despite a Conflict," *Harvard Law Review*, Vol. 66, pp. 465-72 (Jan., 1953).

73 a year ago); Justice Douglas led all the rest with 33; Justice Frankfurter wrote 15, and Justices Black and Jackson each filed 13; Justice Minton wrote six, Chief Justice Vinson three, and Justices Burton, Clark, and Reed each wrote two. Of the 32 concurring opinions, Justice Frankfurter contributed 14, three Justices wrote four each, two Justices two each, two Justices one each, and the Chief Justice none. In all cases decided on the merits, whether with full opinion or by memorandum order, Justice Douglas, with 62 dissenting votes, and Justice Black, with 49, were most frequently in disagreement with the Court's majority. Justice Frankfurter cast dissenting votes in 31 cases, Chief Justice Vinson in 21, and Justice Jackson in 20. At the other extreme, Justice Clark dissented only six times; Justice Reed dissented eleven times, Justice Burton 13 times, and Justice Minton 15 times. Six cases were disposed of by an equally-divided Court. In addition, in connection with memorandum orders denying petitions for certiorari or disposing of miscellaneous applications, Justice Black dissented 25 times, Justice Douglas 22, Justice Reed five, and Justice Jackson two. In keeping with his custom, Justice Frankfurter filed explanatory "memoranda" in three instances.⁷

Cases involving some of the nation's most notorious defendants, the Rosenbergs, Harry R. Bridges, and Alger Hiss, reached the Supreme Court during the 1952 Term, but none involved substantial constitutional questions. Hiss filed a motion for a new trial on January 24, 1952, on the ground of newly-discovered evidence, before Judge Henry W. Goddard, of the federal district court for the Southern District of New York. Judge Goddard wrote a lengthy opinion in July in which he held that the newly-discovered evidence was not such as would, if presented to a jury, probably result in an acquittal.⁸ The Court of Appeals for the Second Circuit affirmed unanimously, without opinion, in January, 1953,⁹ and the Supreme Court denied certiorari in April.¹⁰

The Bridges case was one of an incredibly large number of legal maneuvers which began in 1936.¹¹ Harry Bridges, who immigrated from Australia in 1920, had been naturalized in 1945. In 1949, he and his two character witnesses were convicted of procuring a naturalization certificate through fraud, the fraud consisting in knowingly making false statements to the effect that Bridges was not a Communist. By a 4-3 vote, the Supreme Court held that the Wartime Suspension of Limitations Act did not suspend the running of the general three-year statute of limitations in Bridges' case.¹² The majority decided that the war-

⁷ See especially *Rosenberg v. United States*, 344 U.S. 889 (1952).

⁸ 107 F. Supp. 128.

⁹ 201 F. 2d 372.

¹⁰ 345 U.S. 942.

¹¹ A complete log of all the legal proceedings in the Bridges saga is given by Milton R. Konvitz, *Civil Rights in Immigration* (Ithaca, N.Y., 1953), pp. 114-20. See especially *Bridges v. Wixon*, 326 U.S. 135 (1945).

¹² *Bridges v. United States*, 346 U.S. 209 (1953). The Court of Appeals for the Ninth Circuit had ruled on a variety of constitutional issues, including double jeopardy and due process questions, 199 F. 2d 811, but the Supreme Court's grant of certiorari limited drastically the scope of review, 345 U.S. 904.

time act applied only to frauds of a pecuniary nature or frauds concerning property, relying upon legislative history and the rule that a statute of limitations dealing with crimes ought to be construed liberally in favor of a "policy of repose." The Court also held that the wartime act was limited strictly to offenses in which defrauding the government was an essential ingredient, and that Bridges' offense was not of this character.¹³

The most widely-publicized litigation of the year involved the Rosenbergs, who were convicted in a federal district court, on August 17, 1950, of violating the Espionage Act of 1917 by communicating atomic secrets to Russia in time of war. They were executed on June 19, 1953. In the interim they had their day in court, indeed many days in many courts. It must suffice here to note that after full review by the Court of Appeals for the Second Circuit,¹⁴ the Rosenberg case was considered by the Supreme Court seven times. On June 15, the last day of the Term, the Court denied an application for a stay of execution.¹⁵ On the same day, meeting in a Special Term, the Court denied a petition for an original writ of habeas corpus.¹⁶ Then, on June 17, Justice Douglas granted a stay of execution to counsel who had never before been employed by the Rosenbergs,¹⁷ on the ground that a new and "considerable" question was raised. That question was whether the case should not have been prosecuted under the Atomic Energy Act of 1946, which provides that the death penalty can be imposed only upon recommendation of the jury. Without ruling on the merits, Justice Douglas merely held that the issue was not frivolous, but "a substantial one which should be decided after full argument and deliberation."

The uproar touched off by Justice Douglas' stay subsided when the Court reconvened in Special Term on June 18, on the application of the Attorney General, and vacated the stay by a 6-3 vote.¹⁸ Chief Justice Vinson announced that the full Court had considered the new issue on its merits, and found it not to be a substantial question. He had no doubt that the Atomic Energy Act did not repeal or limit the Espionage Act. Justice Jackson pointed out that the *ex post facto* principle forbade application of a 1946 statute to acts which took place in 1944 and 1945. He also expressed disapproval of the irregular manner in

¹³ In *United States v. Grainger*, 346 U.S. 235 (1953), by a 5-3 vote, the Court held that an attempt to obtain payments from the Commodity Credit Corporation based upon knowingly false allegations of purchases not in fact made, and a false certification of a price actually paid, was a fraud covered by the Wartime Suspension of Limitations Act because the fraud was pecuniary in character, and because fraud was the essential element of the offense.

¹⁴ Circuit Judge Frank said: "Since two of the defendants must be put to death if the judgments stand, it goes without saying that we have scrutinized the record with extraordinary care to see whether it contains any of the errors asserted on this appeal." 195 F. 2d 583, 590. The Supreme Court denied certiorari, 344 U.S. 838 (1952) and a rehearing, 344 U.S. 889 (1952), with Justice Black dissenting on both occasions.

¹⁵ 345 U.S. 989 (1953). The Court also declined to hear oral argument. Four Justices thought oral argument should have been allowed.

¹⁶ 346 U. S. 271 (1953).

¹⁷ For Justice Douglas' opinion see 346 U.S. 313 (1953).

¹⁸ 346 U.S. 273 (1953).

which the new issue was originally presented by lawyers not authorized by the Rosenbergs. He thought the elbowing out of "able and zealous counsel" of the defendants' own choice presents "a threat to orderly and responsible representation of accused persons." Justice Clark discussed the more technical question of partially overlapping statutes, pointing out that repeal of statutes by implication is not favored, and that where two statutes deal with the same subject, the rule is to give effect to both if possible.

Justice Black protested against what he regarded as the unseemly haste of the Court, and even expressed doubt whether the Court has the power to set aside a stay granted in vacation. Justice Frankfurter dissented only on the ground that more time should have been allowed to consider adequately a novel and complicated legal issue. Justice Douglas declared not only that the issue was substantial, but also that on further study and reflection he knew he was right on the law, "deep in my heart." He insisted that since a large part of the crime took place after its effective date, the Atomic Energy Act was in the picture. It is elemental, he argued, as did Justice Black, that where two penal statutes may apply, the court has no choice but to impose the less harsh sentence.

I. QUESTIONS OF NATIONAL POWER

1. FEDERAL RIGHTS

Aliens: Deportation and Exclusion. In *Heikkila v. Barber*¹⁹ the Court held that the validity of a deportation order issued under the Immigration Act of 1917 may be challenged in court only by way of habeas corpus. Injunctive and declaratory relief under the Administrative Procedure Act and the Declaratory Judgments Act was therefore denied. Section 10 of the Administrative Procedure Act provides for court review of agency action in broad terms, "except so far as statutes preclude judicial review." Section 19(a) of the Immigration Act of 1917 declares that in every deportation case, "the decision of the Attorney General shall be final." While the Court agreed that the purpose of the Administrative Procedure Act was to expand greatly the availability of judicial review, it ruled that the concept of administrative finality in immigration legislation has a history, the teaching of which is that Congress intended to make deportation orders nonreviewable to the fullest extent possible under the Constitution. A quarter of a century of judicial interpretation has established that habeas corpus satisfies this minimum measure of review.

¹⁹ 345 U.S. 229 (1953). See generally: "Developments in the Law: Immigration and Nationality," *Harvard Law Review*, Vol. 66, pp. 643-745 (Feb., 1953); Stimson Bullitt, "Deportation as a Denial of Substantive Due Process," *Washington Law Review*, Vol. 28, pp. 205-22 (Aug., 1953); Jerome H. Heckman, "Our Immigration Laws, A Continuing Affront to the Administrative Procedure Act," *Georgetown Law Journal*, Vol. 41, pp. 364-93 (March, 1953); Note, "Constitutional Restraints on the Expulsion and Exclusion of Aliens," *Minnesota Law Review*, Vol. 37, pp. 440-58 (May, 1953); Jack Wasserman, "The Immigration and Nationality Act of 1952—Our New Alien and Sedition Act," *Temple Law Quarterly*, Vol. 27, pp. 62-89 (Summer, 1953); Comment, "The Alien and the Constitution," *University of Chicago Law Review*, Vol. 20, pp. 547-69 (Spring, 1953).

Speaking for the Court, Justice Clark said that there was quite a difference between judicial review in the sense of the Administrative Procedure Act and review by habeas corpus, since the former embraces the whole record to see whether there is substantial evidence, whereas the latter is limited to the enforcement of due process requirements. Justice Frankfurter took the position that this distinction was unsound, since a declaratory judgment action can be limited to the scope of review appropriate to habeas corpus. The real difference, he noted, lies in the fact that if the individual can resort only to habeas corpus, he must wait until he is in physical custody before he can go to court, a point which is "legally narrow but practically important." Furthermore, as Attorney General Brownell pointed out in his recent report to the Judicial Conference, since the substantial evidence rule is actually employed by the courts in deportation cases, it is doubtful whether the scope of review in habeas corpus is much different from what is possible under statutory review.²⁰

The same question has been raised in connection with the Immigration and Nationality Act of 1952. On June 11, 1953, the Court of Appeals for the District of Columbia held that under the new statute deportation orders may be reviewed in an action for declaratory and injunctive relief.²¹ On November 9, 1953, the Supreme Court granted the government's petition for certiorari.²² The Attorney General has made the sensible suggestion that Congress ought to settle the matter by enacting clarifying legislation.²³

A resident alien held for deportation has some due process rights; but an alien excluded at the gates of the country has none. It is important, therefore, whether the situation is one of deportation or exclusion. This was the issue in *Kwong Hai Chew v. Colding*.²⁴ Chew, a Chinese seaman, was a resident alien, married to a native American, and owner of a home in New York. He served creditably during World War II in the U.S. merchant marine, and had never had any difficulty with governmental authorities. A petition for citizenship filed in April, 1950, was still pending. After being screened and passed by the Coast Guard, in November, 1950, he went on a voyage as chief steward of an American ship. When the ship returned to New York, he was excluded as an alien whose entry was prejudicial to the public interest. The Attorney General denied Chew a hearing and refused to inform him of the accusations against him, on the ground that the information was confidential. The lower federal courts denied Chew's petition for habeas corpus on the authority of the recent *Knauff* case.²⁵

The Supreme Court reversed, holding that the *Knauff* case was not controlling since Ellen Knauff had been an alien entrant, whereas Chew was a resi-

²⁰ Report of the Proceedings of the Regular Annual Meeting of the Judicial Conference of the United States, September 24-25, 1953, pp. 42-43.

²¹ *Rubinstein v. Brownell*, 206 F. 2d 449.

²² 74 S. Ct. 122.

²³ Report (cited in note 20), p. 43.

²⁴ 344 U.S. 590 (1953). Justice Minton dissented without opinion.

²⁵ *U.S. ex rel. Knauff v. Shaughnessy*, 338 U.S. 537 (1950).

dent alien, so far as the constitutional right to due process is concerned. It is established that an alien who is a lawful permanent resident of the country may not be expelled or deported without notice of the charges and some sort of a hearing. The Court ruled that Chew's previous constitutional status was not terminated by the voyage. Justice Burton noted that this accords with our immigration and naturalization law, which, for example, counts service on American vessels, after lawful entry, as part of residence. Justice Burton did not believe that the preservation of Chew's right to due process left an unprotected spot in the nation's armor. Chew had to satisfy Congress and the Attorney General before he was admitted to permanent residence in the first place, he was cleared by the Coast Guard, and he will have to offer assurances that he is not a security risk when he comes up for naturalization.²⁶

But by a 5-4 vote the Court reached a different conclusion in *Shaughnessy v. United States ex rel. Mezei*.²⁷ Of course the facts were different, but perhaps not too different. Mezei, an alien, lived in the United States from 1923 to 1948. In May, 1948, he went to Europe to visit his dying mother in Rumania. Denied entry there, he remained in Hungary for some 19 months, due to difficulty in getting an exit permit. He received a quota immigration visa from the American Consul in Budapest, and when he arrived at New York the Attorney General excluded him without a hearing on the "basis of information of a confidential nature, the disclosure of which would be prejudicial to the public interest" for security reasons. Mezei then applied for and was denied admission to some 15 countries. At long last this dangerous character gave up trying to depart. During all this time he remained in compulsory residence at Ellis Island. Finally, in November, 1951, the federal district court granted habeas corpus, holding that after 21 months further detention was excessive, and justifiable only by affirmative proof that he was in fact a danger to public safety. The government had declined to divulge its evidence, even *in camera*. The Court of Appeals affirmed on the theory that the power to hold an alien in confinement ends when deportation becomes impossible. The Supreme Court reversed.

Resting his opinion upon the proposition that what the political departments of the government do in regard to the expelling or excluding of aliens is largely immune from judicial control, Justice Clark pointed out that, unlike the situation concerning resident aliens, whatever procedure Congress authorizes for alien entrants is due process. In exclusion cases the Attorney General cannot be com-

²⁶ In *Yanish v. Barber*, 73 S. Ct. 1105 (1953), Justice Douglas, sitting alone, ruled that an alien held for deportation has a right to release on bail while appealing to a Court of Appeals a denial of habeas corpus by a district court where the appeal presented a substantial question. Bail is designed not only to provide security for the appearance of the prisoner, but also to protect his right to appeal. Justice Douglas also ruled that while the discretion of the Attorney General in regard to bail is very broad, its exercise is subject to judicial review, in accordance with the teaching of *Carlson v. Landon*, 342 U.S. 524 (1952). The habeas corpus action arose from a refusal of Yanish to execute a bond required by the Attorney General which attached a number of conditions he found objectionable, such as giving up familial associations.

²⁷ 345 U.S. 206 (1953).

pelled to disclose the evidence underlying his determination, and the courts cannot retry it. The basic point, of course, was the holding that Mezei was an entering alien. Neither his prior residence in this country nor his "harborage" at Ellis Island transformed this proceeding into something other than an exclusion proceeding. Justice Clark also stressed the point that Mezei left this country without re-entry papers and, unlike Chew, stayed behind the Iron Curtain for 19 months. Under the applicable statutes, he thought Mezei's protracted absence constituted a clear break in the alien's continuous residence here. As for Mezei's continued confinement at Ellis Island, Justice Clark said that the government could keep an alien on a ship, and that Congress as a matter of grace chose the more generous course of temporary harborage, which bestows no additional rights. Since the statute provides that such shelter ashore shall not be regarded as a landing, the continued exclusion of Mezei does not deprive him of any statutory or constitutional right. The Court ruled, finally, that neither statute law nor reason requires temporary release on bond. Justice Clark took note of the hardship in this case, but, he said, "the times being what they are, Congress may well have felt that other countries ought not shift the onus to us; that an alien in respondent's position is no more ours than theirs." This argument is as broad as it is long: one might argue that precisely because the times are what they are, the Supreme Court should be especially alert to protect a simple right to fundamental justice.

So argued the four dissenters in this case. Justice Black castigated a procedure where "government makes one person's liberty depend upon the arbitrary will of another" as violative of due process and smacking of dictatorship. While Justice Jackson agreed that as a matter of law this was an exclusion case, he also noted that actually Mezei had been a law-abiding inhabitant of this country for a quarter of a century, and "seems to have led a life of unrelieved insignificance." He ventured the opinion that Mezei "must have been astonished to find himself suddenly putting the Government of the United States in such fear that it was afraid to tell him why it was afraid of him." It is not at all surprising that other countries will not take him. "Since we proclaimed him a Samson who might pull down the pillars of our temple, we should not be surprised if peoples less prosperous, less strongly established and less stable feared to take him off our timorous hands." Justice Jackson insisted that Mezei was deprived of his liberty at Ellis Island; to tell him he is free to leave in any direction but west "might mean freedom, if only he were an amphibian!"

While courts pay great deference to the judgment of the legislative and executive departments in matters of substantive due process, and particularly as regards policies affecting security and alien exclusion, Justice Jackson maintained that procedural due process is another matter. It is what due process requires "most uncompromisingly"; is it "more elemental and less flexible than substantive due process." Procedural due process "yields less to the times, varies less with conditions, and defers much less to legislative judgment." Furthermore, this is technical law, a specialized responsibility of the judiciary. Questions of due process matter a great deal. "Only the untaught layman or the

charlatan lawyer," Justice Jackson declared, "can answer that procedures matter not. Procedural fairness and regularity are of the indispensable essence of liberty." This is especially important here, since aliens are more handicapped than citizens, and since the occasion of this detention was fear of future misconduct rather than crimes already committed. Justice Jackson thought that while Mezei had no right of entry, it did not follow that he had no rights at all, and that when indefinite confinement becomes the means of enforcing exclusion, due process requires that the alien be told of the charges and be given a chance to overcome them. And he observed: "I have not been one to discount the Communist evil. But my apprehensions about the security of our form of government are about equally aroused by those who refuse to recognize the dangers of Communism and those who will not see danger in anything else." Justice Jackson could not believe that giving Mezei fair notice of charges and a fair hearing would menace our security. "No one," he declared, "can make me believe that we are that far gone."

Expatriation. Mandoli was born in the United States of unnaturalized Italian parents, thus becoming an American citizen by virtue of our Constitution and a national of Italy by force of Italian law. While a "suckling" his parents returned to Italy. At the age of about 15, he tried to come to the United States, but the American Consul at Palermo refused permission on the ground that he was too young to make the journey unaccompanied. In 1931 he served briefly in the Italian army. After failing in efforts to come here in 1937 and 1944, he was finally admitted in 1948 for the purpose of bringing an action for a declaratory judgment to establish his citizenship. The district court held that Mandoli had expatriated himself, finding (1) that his service in the Italian army had been voluntary, and that he had taken an oath of allegiance to the King, and also (2) that his continuing to reside in Italy after attaining his majority constituted an election between his dual citizenships in favor of that of Italy. The government then abandoned the first ground because the Attorney General ruled that Mandoli's service in the Italian army and the attendant oath could only be regarded as having been taken under legal compulsion amounting to duress. But the Court of Appeals affirmed on the second ground. In the Supreme Court only five Justices voted to reverse, even though the government agreed that the Court of Appeals should be overruled.²⁸ Justice Jackson noted that the Act of 1907 limited the presumption of expatriation resulting from foreign residence to naturalized citizens only. The Nationality Act of 1940 had no purpose of subjecting a citizen by birth to the hazard and burden of election at majority. A proposal to this effect had been presented by the State Department, but refused by Congress. In short, then, a native-born citizen has a right to return to this country, but it is not mandatory that he do so at any particular time.²⁹ Speaking for the minority of four, Justice Douglas took the position that the

²⁸ *Mandoli v. Acheson*, 344 U.S. 133 (1952). See Emanuel L. Gordon, "Loss of Citizenship by Continuous Residence Abroad," *Columbia Law Review*, Vol. 53, pp. 451-75 (April, 1953).

²⁹ Such was the teaching, Justice Jackson noted, of *Perkins v. Elg*, 307 U.S. 325 (1939).

controlling fact was that Congress made the taking of "an oath of allegiance to any foreign state" a ground for loss of citizenship.

Equal Rights in the District of Columbia. An 1871 act of Congress created a bicameral Legislative Assembly for the District of Columbia, with power over "all rightful subjects of legislation" within the District, consistent with the Constitution, and subject to repeal or modification at any time by Congress. This Assembly, which was abolished in 1874, enacted statutes in 1872 and 1873 forbidding discrimination by restaurants and other places of public accommodation solely on account of race or color. Overruling a 5-4 decision of the Court of Appeals of the District sitting *en banc*, the Supreme Court unanimously ruled that these statutes were still enforceable.³⁰ Justice Douglas observed that the characterization of this District government as a "territorial government" was an apt analogy, since the grant to the Legislative Assembly was substantially identical with the grant of legislative power to the territorial governments. Furthermore, he noted that the territorial and District clauses of the Constitution are phrased in very similar language. It follows that the power of Congress to grant self-government to the District is as great as its authority to do so in the case of territories. The Supreme Court rejected the distinction made below between the delegation of "municipal" and "general" powers, holding that the power of Congress over the District includes all powers of legislation which a state possesses. A state clearly may grant home-rule municipalities a police power as broad as that of the state, and legislation forbidding race discrimination in facilities serving a public function is within the police power of the states. Justice Douglas concluded "that on the analogy of the delegation of powers of self-government and home rule both to municipalities and to territories there is no constitutional barrier to the delegation by Congress to the District of Columbia of full legislative power, subject of course to constitutional limitations to which all lawmaking is subservient and subject also to the power of Congress at any time to revise, alter, or revoke the authority granted." Finally, the Court ruled that the acts of 1872 and 1873 survived all later changes and are still part of the governing body of laws applicable in the Dis-

³⁰ *District of Columbia v. John R. Thompson Co.*, 346 U.S. 100 (1953). See Helen M. Rosenthal, "Delegable Powers and the District of Columbia," *George Washington Law Review*, Vol. 21, pp. 337-53 (Jan., 1953); Phineas Indritz, "Racial Ramparts in the Nation's Capital," *Georgetown Law Journal*, Vol. 41, pp. 297-329 (March, 1953).

In *Western Pacific R. Corp. v. Western Pacific R. Co.*, 345 U.S. 247 (1953), the Court held that Section 46(c) of Title 28 of the U. S. Code does not require each circuit judge of a Court of Appeals to consider every petition for a hearing or rehearing *en banc*, but that each Court may, if it wishes, delegate this responsibility to a division. The statute, adopted in 1948, was a legislative ratification of *Textile Mills Securities Corp. v. Commissioner*, 314 U.S. 326 (1943), which merely held that the Court of Appeals has the power to order a hearing *en banc*. To hold that on request the court must sit *en banc* to entertain a motion for an *en banc* hearing would impose an unwarranted burden upon it. Litigants are always free to suggest that a particular case is appropriate for consideration *en banc*, and of course the court itself has the power to initiate *en banc* proceedings *sua sponte*.

trict, and that they were not abandoned or repealed as a result of non-use and administrative practice. Justice Douglas pointed out that "the failure of the executive branch to enforce a law does not result in its modification or repeal. . . . The repeal of laws is as much a legislative function as their enactment."

The Investigative Power of Congressional Committees and Freedom of Speech. At long last someone who challenged the scope of activity of a congressional investigatory committee won an appeal in the Supreme Court, and by a unanimous vote at that.³¹ Rumely, secretary of an organization called the Committee for Constitutional Government, sells books and pamphlets which reflect a political coloration commonly described as right wing. He refused to disclose to the House Select Committee on Lobbying Activities (the Buchanan Committee), which was set up to study the operation of the Federal Regulation of Lobbying Act of 1946, the names and addresses of those who made bulk purchases of these books for further distribution. Both Rumely and his organization were registered under the Lobbying Act. Its reports indicated that it spent about \$2,000,000 between October, 1946 and August, 1950. Since the Lobbying Act requires the reporting of all contributions over \$500, the Committee for Constitutional Government adopted the policy of accepting payments of over \$490 only if the contributor specifies that the money is to be used for distributing books and pamphlets. It described such transactions as sales and hence did not report them.³² The resolution of Congress setting up the Buchanan Committee declared that "the Committee is authorized and directed to conduct a study and investigation of . . . all lobbying activities intended to influence, encourage, promote, or retard legislation."

Starting with the premise that the resolution determines the scope of the power of the Committee to exact testimony, Justice Frankfurter held that in construing the term "lobbying activities" the Court must, if it is possible, choose the construction which avoids serious constitutional issues, just as it does in the case of ordinary legislation.³³ He thought the government's position, that the Committee had the power to inquire into all efforts of private individuals to influence public opinion through books and periodicals, however remote from the legislative process, raised doubts of constitutionality under the First Amendment not of a "fanciful or factitious" nature. He also felt that the Court ought not to apply constitutional limitations to the investigative power of legislative committees unless Congress has authorized an inquiry of dubious limits in unequivocal language. He then proceeded to rule that "as a matter of English" the phrase "lobbying activities" means ordinarily representations

³¹ *United States v. Rumely*, 345 U.S. 41 (1953). See Comment, "Limits on Congressional Inquiry," *University of Chicago Law Review*, Vol. 20, pp. 593-97 (Spring, 1953); Paul J. Liacos, "Rights of Witnesses before Congressional Committees," *Boston University Law Review*, Vol. 33, pp. 337-86 (June, 1953).

³² The books in question included: John T. Flynn, *The Road Ahead*; Thomas J. Norton, *The Constitution of the United States*; Melchior Palyi, *Compulsory Medical Care*; Irving B. McCann, *Why the Taft-Hartley Law*.

³³ See Note, "Supreme Court Interpretation of Statutes to Avoid Constitutional Decisions," *Columbia Law Review*, Vol. 53, pp. 633-51 (May, 1953).

made directly to Congress, its members or committees, and does not include attempts to influence the thinking of the community. He said that if Congress had wanted to cover all efforts to influence public opinion, it would have used more explicit language. He insisted that his interpretation was "not barred by intellectual honesty."³⁴ In a concurring opinion Justice Douglas, with whom Justice Black agreed, took the less strained position that the resolution in question did authorize the sort of investigation the Buchanan Committee attempted, and that, so construed, it violated the First Amendment.

Procedural Due Process. The proposition that a vague criminal statute violates due process because it does not give fair warning was applied in *United States v. Cardiff*.³⁵ Section 301(f) of the Federal Food, Drug and Cosmetic Act prohibited "the refusal to permit entry or inspection as authorized by Section 704." Section 704 authorized federal officials "after first making request and obtaining permission of the owner, operator or custodian" of the plant, "to enter" and "to inspect" the establishment "at reasonable times." Cardiff refused inspectors permission to enter or inspect his plant. The Court of Appeals reversed a conviction on the ground that the statute prohibits a refusal to permit inspection only if such permission has previously been granted. The Department of Justice, on further appeal, argued that the statute ought to be read as prohibiting a refusal to permit inspection at any reasonable time. The Supreme Court agreed with the government's contention that only through inspection of factories can the benign purposes of the statute be achieved, but held, in affirming the Court of Appeals, that nowhere does the statute say that a factory manager must allow entry and inspection at a reasonable hour. The statute, on the contrary, seems to prohibit refusal to permit inspection only if permission has been granted previously. But this interpretation breeds problems. For example, if permission is once given may it be revoked? The alternative construction is equally treacherous, since it gives conflicting commands, making inspection depend upon consent and refusal to allow inspection a crime. The Court thus threw up its hands and said that this was a bad statute because it did not give fair and effective notice of what is forbidden. "Words which are vague and fluid . . . may be as much of a trap for the innocent as the ancient laws of Caligula. We cannot sanction taking a man by the heels for refusing to grant permission which this Act on its face apparently gave him the right to withhold."³⁶

³⁴ Justice Frankfurter also took comfort from the fact that in *United States v. CIO*, 335 U.S. 106 (1948), the Court, with a view to avoiding a serious constitutional doubt, strained words even harder.

³⁵ 344 U.S. 174 (1952). Justice Burton dissented without opinion. I believe this is the first case holding a federal statute unconstitutional since *United States v. Lovett*, 328 U.S. 303 (1946). The only other decision invalidating an act of Congress since the holocaust of 1935-1936 was *Tot v. United States*, 319 U.S. 463 (1943). For an up-to-date list of acts of Congress held unconstitutional by the Supreme Court see *Constitution of the United States, Revised and Annotated* (Washington, 1953), pp. 1241-54.

³⁶ Congress promptly rewrote Section 704 to authorize inspection in clear and unambiguous language, Public Law 217, Chapter 350, 83d Cong., 1st sess., approved August 7, 1953.

A very important issue relating to the meaning of a fair hearing was decided by a divided Court in *United States v. Nugent*.³⁷ Under the Selective Service Act, religious conscientious objectors are exempt from military service. If the local draft board denies a claim, the individual concerned may get review by an appeal board. All such appeals are referred to the Department of Justice for an "appropriate inquiry" and a "hearing." Then the Department makes its recommendation to the appeal board, which is free to accept or reject it. The Department of Justice uses the FBI to investigate the registrant's background and reputation for sincerity. At the departmental hearing the registrant may appear with an advisor and witnesses, and upon request he is entitled to be told "as to the general nature and character" of any unfavorable evidence developed by the FBI, but he is not permitted to see the FBI report, nor is he informed of the names of the persons interviewed. Five Justices held that this procedure satisfies the statute, which merely guarantees a "hearing" without more, and the Fifth Amendment. They ruled that the Department of Justice has fulfilled its duties under the statute if the registrant is given a fair opportunity to speak his piece and submit his evidence, and is given a fair résumé of adverse evidence in the investigator's report. They insisted that the statutory requirement of a "hearing" ruled out any "sham substitute," but that the word does not comprehend "the formal and litigious procedures." The final duty to classify rests with the local and appellate boards, and the Department of Justice merely renders an advisory or auxiliary service which Congress is not obliged to provide. As for the Fifth Amendment, the majority ruled that this procedure was a valid exercise of the war power, considering the perilousness of the times, difficulty of the issues, and the "imperative needs of mobilization and national vigilance."

Justices Frankfurter, Black, and Douglas dissented. Justice Frankfurter said that the whole point of the hearing, since the registrant has already had a chance to put all his evidence before the draft board, is to permit him to rebut the contents of the FBI report. He thought "the enemy is not yet so near the gate that we should allow respect for traditions of fairness, which has heretofore prevailed in this country, to be overborne by military exigencies." Indeed, he asserted that "in a country with our moral and material strength the maintenance of fair procedures cannot handicap our security." On the contrary, our strength and security are reinforced by adhering to our moral professions. In a brief opinion Justice Douglas observed that "the use of statements by informers who need not confront the person under investigation or accusation has such an infamous history that it should be rooted out from our procedure. A hearing at which these faceless people are allowed to present their whispered rumors and yet escape the test and torture of cross-examination is not a hearing in the Anglo-American sense."

After due notice and full hearings, including final oral argument on published

³⁷ 346 U.S. 1 (1953). See Mulford Q. Sibley and Philip E. Jacob, *Conscription of Conscience* (Ithaca, N.Y., 1952); Francis Heisler, "The Law versus the Conscientious Objector," *University of Chicago Law Review*, Vol. 20, pp. 441-60 (Spring, 1953).

proposed rules, the Interstate Commerce Commission promulgated important new rules drastically regulating trip leasing, that is, the use of equipment by authorized motor carriers when the equipment is not owned by the carrier but is leased from the owner or obtained by interchange with another authorized carrier. The Supreme Court held that it was not error for the district court to refuse to grant a *de novo* hearing, including the introduction of additional oral evidence.³⁸ Justice Reed said that the right to be heard in court "is not to be construed as an avenue toward delay. The claim of confiscation must be substantial, the import of the proffered evidence clear, and the inability to test the question before the Commission patent, in order to justify an oral hearing on the question in the courts." In this context, the right to a trial *de novo* was not automatically established merely because the Commission denied a petition for a rehearing which invoked constitutional principles. The Court noted that a great deal of evidence had been presented to the Commission dealing with the economic impact of the new rules, and that parties had every opportunity to introduce such evidence in the agency proceedings.³⁹

Substantive Due Process. In *Baltimore & Ohio Railroad Co. v. United States*⁴⁰ the Court rejected a claim that rates prescribed by the Interstate Commerce Commission for carrying certain kinds of fresh vegetables were "confiscatory" in violation of due process, on the ground that the rates would produce less money than it would cost the railroads to carry them. There was no claim that the challenged rates would make any one of the complaining railroads operate its entire business at a loss, or even carry all fresh vegetables at a loss. The prescribed rates were merely minor alterations in a vast, complex network of rates.

The Court held that a great deal of flexibility in rate-making is absolutely necessary, and "so long as rates as a whole afford railroads just compensation for their over-all services to the public the Due Process Clause should not be construed as a bar to the fixing of noncompensatory rates for carrying some commodities when the public interest is thereby served." Justice Douglas and Chief Justice Vinson dissented on the ground that the record before the ICC, described as "largely a hodge-podge of statistics," did not show that the prescribed rates were reasonable.

Disbarment. Abraham J. Isserman, one of the attorneys for the Communist leaders who were convicted in the *Dennis* case,⁴¹ was given a jail sentence by Judge Medina for contempt, which was confirmed by the Supreme Court in the

³⁸ *American Trucking Associations v. United States*, 344 U.S. 298 (1953).

³⁹ Justices Black and Douglas dissented on the ground that the administrative rules were not within the terms of the statute.

⁴⁰ 345 U.S. 146 (1953). In *King v. United States*, 344 U.S. 254 (1952), the Court approved an ICC order requiring Florida railroads to charge intrastate freight rates which would reflect the same increases that had been authorized for comparable interstate traffic, although the interstate rates were increased partly to make up a deficit in passenger revenue.

⁴¹ *Dennis v. United States*, 341 U.S. 494 (1951).

Sacher case.⁴² Following that he was suspended from practice by the federal district court for the Southern District of New York for two years. Then by unanimous vote the Supreme Court of New Jersey disbarred him, and the Supreme Court of the United States denied certiorari, over the objections of Justices Black and Douglas.⁴³ They thought that the New Jersey court had not given Isserman the kind of hearing required by due process, but merely acted on the basis of a summary conviction for contempt, without a hearing, by a federal district judge. Finally, after the issuance of a show cause order, the United States Supreme Court disbarred him.⁴⁴ The Chief Justice explained that under Rule 2(5) disbarment by a state does not automatically disbar members of the bar of the Supreme Court, but that in the absence of some "grave reason" to the contrary, it will follow the state court's finding. In reply to the argument that Isserman had already been punished sufficiently, the Chief Justice pointed out that this misconceives the purpose of disbarment, which is to protect the Court, and hence society, as an instrument of justice. But he said that the Court had considered Isserman's case on its merits, and is not laying down a rule that disbarment must necessarily result from contempt. The four dissenting Justices thought that Isserman had already been punished severely, remarking that "if the purpose of disciplinary proceedings be correction of the delinquent, the courts defeat the purpose by ruining him whom they would reform."

Fair Compensation. In *United States v. Caltex*⁴⁵ the Court held that the destruction by the army of privately-owned terminal facilities of oil companies in Manila to prevent their falling into the hands of the advancing enemy did not constitute a compensable taking.⁴⁶ It was noted that if the facilities had been destroyed after the retreat, there would certainly have been no right to compensation. The Court could see no legal significance in the fact that the property was destroyed before the withdrawal. The common law has long recognized that in times of imminent peril the sovereign may lawfully destroy the property of a few to save the property of many. In this case the property had been destroyed, not appropriated for subsequent use. Said the Chief Justice: "The terse language of the Fifth Amendment is no comprehensive promise that

⁴² *Sacher v. United States*, 343 U.S. 1 (1952).

⁴³ *Isserman v. Ethics Committee of the Essex County Bar Association*, 345 U.S. 927 (1953). See: David L. Weissman, "Sacher and Isserman in the Courts," *Lawyers Guild Review*, Vol. 12, pp. 39-47 (Winter, 1952); Note, "The Imposition of Disciplinary Measures for the Misconduct of Attorneys," *Columbia Law Review*, Vol. 52, pp. 1039-53 (Dec., 1952); Ralph S. Brown, Jr. and John D. Fassett, "Loyalty Tests for Admission to the Bar," *University of Chicago Law Review*, Vol. 20, pp. 480-508 (Spring, 1953).

⁴⁴ *In re Isserman*, 345 U.S. 286 (1953). The vote was 4-4, Justice Clark not participating. The explanation for the outcome, with this vote, would seem to be that under the applicable Rule of the Court a lawyer already disbarred by a state court has the "burden" of showing cause why he should not be disbarred in the Supreme Court. If the Justices are evenly divided as to whether he has shown good cause he loses, since the burden was upon him to demonstrate that he should not be disbarred.

⁴⁵ 344 U.S. 149 (1952).

⁴⁶ The controlling precedent was *United States v. Pacific R. Co.*, 120 U.S. 227 (1887).

the United States will make whole all who suffer from every ravage and burden of war." Justices Douglas and Black, dissenting, argued that this property had been as clearly appropriated for the war effort as requisitioned food or supplies.

2. THE FEDERAL TAXING POWER

*United States v. Kahriger*⁴⁷ sustained the constitutionality of the Gamblers' Occupational Tax Act of 1951, which levies an occupational tax of \$50 a year upon all persons "engaged in the business of accepting wagers," and also requires them to register with the Collector of Internal Revenue. The statute in addition levies a tax of 10% upon all wagers except parimutual wagering licensed by a state. The district court dismissed an information on the authority of the *Constantine* case,⁴⁸ holding that the act invaded the reserved police powers of the states. The Supreme Court pointed out that the *Constantine* case dealt with a federal tax of \$1,000 levied upon all persons carrying on a liquor business in violation of state law, whereas here the wagering tax applied to all persons engaged in the business of receiving wagers, whether or not such activity violated state law. Many similar regulatory taxes have been upheld, such as those on lottery tickets, state bank notes, colored oleomargarine, narcotics, firearms, and marihuana. It is now established, said Justice Reed, that a federal excise tax is not invalid merely because it discourages the activities taxed, or because the revenue obtained is negligible. "It is axiomatic that the power of Congress to tax is extensive and sometimes falls with crushing effect on businesses deemed unessential or inimical to the public welfare, or where, as in dealings with narcotics, the collection of the tax also is difficult." The remedy for excessive taxation, he suggested, was in the hands of Congress, not the courts. He found it "hard to understand why the power to tax should raise more doubts because of indirect effects than other federal powers." Unless there are provisions extraneous to any tax need, he thought the Court cannot limit the exercise of the taxing power. Here he found that all the provisions of the statute were adapted to the collection of a valid tax. The registration requirement of name, residence, and place of business was, he believed, "quite general in tax returns," and facilitates the collection of the tax.

The court also held that the registration requirement did not violate the self-incrimination clause in this case because, since Kahriger had failed to register, he cannot claim the privilege, even assuming that the disclosure of violations of law is called for. The court relied upon a previous holding that one who is required to file an income tax return must file one, and if the form calls for answers that are privileged, he must raise that objection in the return.⁴⁹ But still one has to file a return. Furthermore, the Court ruled that assuming Kahriger can raise the self-incrimination issue, the privilege has relation only to past acts, and not to

⁴⁷ 345 U.S. 22 (1953). See R. L. Berry and J. M. Sullivan, "The Constitutionality of Federal Taxation as an Exercise of Federal Police Power," *Notre Dame Lawyer*, Vol. 28, pp. 127-36 (Fall, 1952).

⁴⁸ *United States v. Constantine*, 296 U.S. 287 (1935).

⁴⁹ *United States v. Sullivan*, 274 U.S. 259 (1927).

future acts that may or may not be committed. Under the wagering act he is not compelled to confess to acts already committed; he is merely informed by the statute that in order to engage in the business of wagering in the future, he must fulfil certain conditions.

Justice Jackson concurred, "but with such doubt that if the minority agreed upon an opinion which did not impair legitimate use of the taxing power" he said he would probably join it. What disturbed him was that this tax falls only on specified gamblers whose calling in most states is illegal, and requires them to identify themselves, not because they have incomes like other people, but because of the source of their incomes. He found it difficult to regard this as "a rational or good-faith revenue measure," in spite of the deference judges pay to Congress. Furthermore, he pointed out that our system is one of taxation by confession, and depends upon the good will of the people, of which there is a great deal. He was afraid this good will might be frittered away by using the taxing power to achieve moral reforms which are outside the scope of direct legislation.

Three Justices dissented. Justice Frankfurter argued that of course Congress may make an oblique use of the taxing power in dealing with activities with which it may deal directly, under the commerce power, for example. But he said the Court cannot shut its eyes when Congress tries to control conduct which the Constitution left to the states, merely because Congress "wrapped the legislation in the verbal cellophane of a revenue measure." He thought that legislative and general history supported the conclusion that what is formally a taxing measure is essentially an effort to deal with professional gambling. He also thought that the statute was unconstitutional because the enforcing provision was designed for the systematic confession of crimes with a view to prosecution under state law. Justice Douglas agreed to the extent that this tax was an attempt by Congress to control conduct which the Constitution left to the responsibility of the states. Justice Black dissented on Fifth Amendment grounds, arguing that the statute requires a man to register and confess that he is engaged in gambling; thus, "it creates a squeezing device contrived to put a man in federal prison if he refuses to confess himself into a state prison as a violator of state gambling laws."

3. THE FEDERAL COMMERCE POWER

The Fair Labor Standards Act covers employees "engaged in commerce or in the production of goods for commerce." The Court held that the Act applies to all the employees of a Pennsylvania road contractor who manufactures a road surfacing mixture, made of local materials, 85½% of which is used on interstate roads or railroads by the contractor or his customers.⁵⁰ All of the product is

⁵⁰ *Alstate Construction Co. v. Durkin*, 345 U.S. 13 (1953). A similar decision was reached in a companion case, *Thomas v. Hempt Brothers*, 345 U.S. 19 (1953). Here the Court ruled that the Act covers employees of the operator of a stone quarry whose customers included the Pennsylvania Turnpike, the Pennsylvania Railroad, and an airport, all of which

produced in Pennsylvania, and none is manufactured for shipment across state lines. Justice Black held that the phrase "production of goods for commerce" does not necessarily mean "production of goods for transportation in commerce." The Court had previously ruled that interstate roads and railroads are indispensable instrumentalities in the carriage of goods and persons moving in interstate commerce, and that employees engaged in repairing them are in commerce. "Consequently he who serves interstate highways and railroads serves commerce. By the same token he who produces goods for these indispensable and inseparable parts of commerce produces goods for commerce." It is interesting to note that Justices Douglas and Frankfurter, who dissented, raised no constitutional objection, but merely argued that the Court's interpretation of the statute went beyond the intent of Congress.

The scope of federal power over the interstate transmission of electricity was involved in *United States v. Public Utilities Commission of California*.⁵¹ The California Electric Power Company produces electricity in California and markets most of it in the state, subject to the authority of the state commission. But it sells some power, at wholesale rates, to the Navy and a Nevada county for consumption in Nevada. The power is transmitted to a substation in California near the state line, where it is taken over by the Navy and the county and delivered at the same high voltage to Nevada, where it is stepped down for local distribution and consumption. About a fourth of the Navy's power and all of the county's is resold to local consumers. The Supreme Court ruled that the Federal Power Commission, and not the state commission, has authority over these sales at wholesale. It is firmly established, Justice Reed pointed out, that the concept of commerce includes the transportation of public property.⁵² The fact that the electricity was transmitted across the state boundary over lines owned by the buyers was regarded as irrelevant. But the federal statute declared that the authority of the federal commission was "to extend only to those matters which are not subject to regulation by the States." Justice Reed ruled that the *Atleboro* case⁵³ had established the proposition that state authority did not extend to an interstate sale in wholesale quantities to distributing companies for resale to consumers.

Still another interpretation of the nature of interstate commerce was propounded in the case of a woman who had purchased a railway ticket for a trip from Meriden, Connecticut, to Fall River, Massachusetts, via New Haven.⁵⁴ The passenger had a stopover of about an hour in New Haven, where she had to change trains. She gave her suitcase to a redcap employee of the railroad, the

handle interstate traffic. The employer manufactured cement mixtures and hauled them in trucks to his customers. In *United States v. Universal C.I.T. Credit Corp.*, 344 U.S. 218 (1952), it was decided that the offense made punishable under the Fair Labor Standard Act is a course of conduct and not individual acts.

⁵¹ 345 U.S. 295 (1953).

⁵² *Powell v. U.S. Cartridge Co.*, 339 U.S. 497 (1950).

⁵³ *Public Utilities Commission v. Atleboro Steam & Electric Co.*, 273 U.S. 83 (1927).

⁵⁴ *New York, New Haven & H. R. Co. v. Nothnagle*, 346 U.S. 128 (1953).

suitcase vanished, and she sued the company. Disagreeing with the state court, which regarded the trip as having been suspended for a substantial period of time, thereby making state law applicable, the Supreme Court held that this was clearly a transaction incidental to an interstate journey within the scope of the Interstate Commerce Act. "Neither continuity of interstate movement nor isolated segments of the trip can be decisive." The determinative fact was the destination of the passenger when she began her journey. The stopover was described as temporary, for transfer purposes merely. Thus the redcap, a railroad employee, was performing services in connection with an interstate trip. Incidentally, this decision made no difference to the passenger, since both the federal and the state law were on her side.

While a state may not invade the interstate commerce coverage of the Federal Employers' Liability Act by arbitrarily presuming a renunciation of rights which it confers, or by compelling parties to elect between their federal remedies and an alternative state compensation plan, a state may, absent overreaching or fraud, give awards to employees engaged in interstate commerce if the parties voluntarily agree.⁵⁵ The difference between coercion and permission was regarded as decisive. On the other hand, since FELA permits an employee to bring his suit wherever the carrier "shall be doing business," a Georgia court may not enjoin a resident of the state whose injury took place in Georgia from suing in an Alabama court.⁵⁶ The deliberate policy of Congress displaces the traditional power of a state court to enjoin its citizens from suing in the courts of another state on the ground of oppressiveness. The federal *forum non conveniens* doctrine, formulated in Section 1404(a) of the Judicial Code of 1948, applies to FELA cases, but only to those in the federal courts. Justice Frankfurter thought that since judicial process is abused in state as well as federal courts, the federal *forum non conveniens* statute was being read with "blind literalness," "the cardinal sin in statutory construction."

There were two decisions in the field of foreign commerce during the 1952 Term which are worth noting here, though both turned on questions of statutory interpretation. In one case the Court held that a federal district court has jurisdiction, under the Lanham Trade-Mark Act of 1946, to award relief to an American corporation for acts of trade-mark infringement and unfair competition consummated in a foreign country by a United States citizen and resident.⁵⁷ So the Court read the statute, which declared that it reached "all commerce which may lawfully be regulated by Congress." Two dissenting Justices thought that this reading was inconsistent with the established canon of construction that an act of Congress is meant to apply only within the territorial jurisdiction of the country unless a contrary intent is spelled out. In the other case the Court remanded to the Federal Communications Commission an authorization

⁵⁵ *South Buffalo Railway Co. v. Ahern*, 344 U. S. 367 (1953). For a complete analysis of FELA see: "The Federal Employers' Liability Act," *Law and Contemporary Problems*, Vol. 18, Part I, pp. 107-255 (Spring, 1953), and Part II, pp. 257-431 (Summer, 1953).

⁵⁶ *Pope v. Atlantic Coast Line Railroad Co.*, 345 U.S. 379 (1953).

⁵⁷ *Steele v. Bulova Watch Co.*, 344 U.S. 280 (1952).

of new radiotelegraph circuits between the United States and certain foreign countries, in competition with existing facilities of another carrier, where the decision was on the ground that our national policy favors competition rather than on the ground that it would result in lower rates or better service.⁵⁸ Justice Frankfurter declared that it was simply not true that there is a national policy favoring competition under all circumstances, even under the Sherman Act. The standard under the Communications Act is the "public interest," and while competition may be a relevant factor, he held that the FCC's finding was arrived at "in an abstract, sterile way." It was therefore directed to reconsider the problem by evaluating the needs of the industry.

There was one important anti-trust case during the Term, in which the Court held, in a 5-4 decision, that the owner of a morning newspaper and an evening paper in New Orleans who requires advertisers to buy space in both has not violated the Sherman Act.⁵⁹ There is no other morning paper in the city, but one other evening paper is published. Justice Clark declared that the teaching of the cases on tying arrangements is that the law has been violated when the seller enjoys a monopolistic position in the market for the "tying" product, or if a substantial volume of commerce in the "tied" product is restrained, because a reduction of competition is inferred from either factor. Declaring that the critical question is the dominance of this publisher in the New Orleans advertising market, the majority found that he did not have the requisite dominant position, as was indicated by the good health of the competing newspaper. In fact, the Court held that no one is forced to purchase a second distinct commodity; the two papers are under a single ownership and sell indistinguishable products in the same market. Thus, "no leverage in one market excludes sellers in the second, because for present purposes the products are identical and the market the same." Finally, the Court could find no showing of an intent to attempt to monopolize or to destroy competition or build monopoly. The publisher, it was concluded, was motivated by legitimate business aims. The four dissenting Justices thought it was clear that the publisher had a complete monopoly of the morning readers and used it to restrain unreasonably competition between its evening paper and the competing newspaper.⁶⁰

⁵⁸ *Federal Communications Commission v. RCA Communications*, 346 U.S. 86 (1953). The vote was 5-2. Justice Black dissented on the ground that the Commission's findings had substantial evidential support. Justice Douglas dissented on the ground that the record clearly supports the opposite conclusion, and that the Commission is so obviously wrong that a remand could serve no useful purpose.

⁵⁹ *Times-Picayune Publishing Co. v. United States*, 345 U.S. 594 (1953). See S. C. Oppenheim, "Federal Antitrust Legislation: Guideposts to a Revised National Antitrust Policy," *Michigan Law Review*, Vol. 50, pp. 1139-1244 (June, 1952).

⁶⁰ For a first interpretation of Section 2(f) of the Robinson-Patman Act, which prohibits buyers from knowingly inducing or receiving a discrimination in price, see *Automatic Canteen Co. v. Federal Trade Commission*, 346 U.S. 61 (1953). The Court held, with an eye to encouraging price bargaining, that the burden of proof relating to the justification of the price differential does not shift to the buyer once the Commission has shown that the buyer knew about it, largely on the theory that the buyer doesn't have

Finally, there were two decisions during this Term which held, in effect, that the anti-featherbedding section of the Taft-Hartley Act was not designed to outlaw all forms of featherbedding.⁶¹ The statute makes it an unfair labor practice for a union to compel payment "for services which are not performed or not to be performed." In each case the decision turned on the fact that some service was actually performed, whereas three Justices dissented on the ground that the service was neither wanted by the employer nor useful to him.

4. FEDERAL JUDICIAL POWER

Nature of Judicial Power. The Federal Power Commission granted a company a license to build and maintain a hydroelectric project on the condition that the United States be allowed to use its transmission lines. On review, the Court of Appeals held that the Commission had no authority to attach the condition, ordered that it be stricken, and affirmed the order so modified. The Supreme Court held that when the lower court decided that the license should be issued without the condition, it usurped an administrative function.⁶² The reviewing court's function ends when an error of law is identified; then the matter goes back to the agency for reconsideration. The statutory power of the court "to affirm, modify, or set aside" an order of the Commission, "in whole or in part," does not authorize it to decide whether the objectives of the federal statute may be achieved if the contested condition is stricken from the order.

The Court also had occasion to reaffirm the proposition that the normal requirements of a case or controversy must be met before a federal court can give relief under the Federal Declaratory Judgment Act of 1934.⁶³ A company had applied to a federal district court for a declaratory judgment to the effect that its carriage of motion pictures between points in Utah was interstate commerce, alleging that the state commission was threatening to regulate the traffic. Since the company was not requesting an adjudication that it has a right to do or have anything in particular, and was not asking the commission to make a specific order or take a concrete step, the Court held that it was in effect trying to win a case before it is commenced. Furthermore, the declaratory judgment procedure will not be used to prejudge issues committed for initial decision to an administrative body. The Court finally argued that "anticipatory judgment by a federal court to frustrate action by a state agency" was not com-

information about the seller's costs. On the other hand, since the Commission is armed with investigatory and subpoena powers, it is in a better position to get the facts. Three dissenting Justices protested against what they regarded as an "enervating" reading of the statute.

⁶¹ *American Newspaper Publishers Association v. NLRB*, 345 U.S. 100 (1953) (reproduction by printers of "bogus sets" of advertising matter already supplied by the advertisers); *NLRB v. Gamble Enterprises, Inc.*, 345 U.S. 117 (1953) (employment of a local orchestra by a theatre in connection with appearance of traveling bands). See Note, "Featherbedding and Taft-Hartley," *Columbia Law Review*, Vol. 52, pp. 1020-33 (Dec., 1952).

⁶² *Federal Power Commission v. Idaho Power Company*, 344 U.S. 17 (1952).

⁶³ *Public Service Commission of Utah v. Wycoff Co.*, 344 U.S. 176 (1952).

patible with a proper federal-state relationship. Review procedures are normally ample to protect federal rights.

The Tompkins Rule. The Court held that since the Railway Labor Act does not prevent resort to a state-recognized cause of action for wrongful discharge, a plaintiff in a diversity action filed in a federal district court must show he has exhausted his administrative remedies under his employment contract if the state law so requires.⁶⁴ On the other hand, when a federal district court hears a suit in admiralty, its jurisdiction not deriving from diversity, the *Tompkins* rule is irrelevant.⁶⁵

Habeas Corpus and State Prisoners. In 1950, in *Darr v. Burford*,⁶⁶ it was decided that a state prisoner may not apply to a federal district court for habeas corpus without first exhausting his state remedies, and that this included a petition to the Supreme Court for certiorari from a denial of habeas corpus on the merits by the highest state court. Whether the federal district court should give any weight to the fact that the Supreme Court denied certiorari was left unanswered. In *Brown v. Allen*,⁶⁷ a joinder of four cases, it was finally ruled formally that it is error for the district court to do so. Speaking for a majority of five on this aspect of the litigation, Justice Frankfurter repeated his well-known position⁶⁸ that no significance attaches to a denial of certiorari.⁶⁹ All it means is that for reasons seldom disclosed four Justices do not think the case ought to be reviewed. Since the Justices give less attention to habeas corpus petitions than to other applications for certiorari, and since many such petitions are badly drawn by the prisoners themselves, a denial of certiorari is not and cannot be *res judicata*. It is equally impossible to leave the district judge free to decide whether in denying certiorari the Supreme Court passed on the merits, since he "ordinarily knows painfully little of the painfully little we knew." In most cases the district judge would merely be speculating without information. He cannot be permitted to "give meaning to something that almost always must to him be meaningless."

Speaking for the minority on this point, Justice Reed took the position that the district judge should be free to accord a previous denial of certiorari such weight as he feels the record justifies. While not asserting that a denial of certiorari is *res judicata* of the issues presented, the minority thought that at least where the records are adequate the district court should be able to consider the denial of certiorari as relevant. Justice Frankfurter's reply was that this would vest an undefined discretion in the district judges to exercise "judicial impressionism," whereas the discretion imposed by the Habeas Corpus Act of 1867 must be subject to rational criteria.

⁶⁴ *TWA v. Koppal*, 345 U.S. 653 (1953).

⁶⁵ *Levinson v. Deupree*, 345 U.S. 648 (1953).

⁶⁶ 339 U.S. 200.

⁶⁷ 344 U.S. 443 (1953).

⁶⁸ See memorandum in *Maryland v. Baltimore Radio Show*, 338 U.S. 912 (1950).

⁶⁹ The Frankfurter opinion on this issue is printed under the title *Daniels v. Allen*, 344 U.S. 443 (1953).

Nevertheless, Justice Frankfurter discussed at great length the bearing of state court proceedings on habeas corpus applications in the federal district courts. He recognized that in these attempts to get federal examination of state convictions most claims are without merit, and that an unrestricted opening of the doors of federal courts would burden them unduly and weaken state law enforcement. On the other hand, not all applications can be dismissed as frivolous, since this would in fact abolish this jurisdiction. At the same time the federal judge cannot ignore all that has gone before. While it is impossible to formulate fool-proof standards which can be applied automatically, Justice Frankfurter discussed certain standards for guidance of the district courts.

Justice Frankfurter thought that the concern about federal district courts discharging state prisoners was "a baseless fear, a bogey man." He pointed out that during the past four years only five state prisoners won ultimate release in this fashion, though many hundreds tried. He also denied that this is a case of a lower federal court sitting in judgment of a higher state court; it is merely an aspect of federal supremacy under which federal law is higher than state law. State judges think otherwise. The Committee on Habeas Corpus of the Conference of Chief Justices, reporting in June, 1953, suggested changing the federal statute to provide that federal district courts should have power to act only if the U. S. Supreme Court, in denying relief on review of the state court, expressly reserves the right of the prisoner to apply for habeas corpus in a federal district court. But the whole Conference went even further, on August 22, 1953, by reaffirming a 1952 resolution which favored review of the final judgments of the state's highest court only by the U. S. Supreme Court. At the same time both the Committee and the Conference agreed that the states should see to it that their post-conviction procedures are as broad in scope as federal process under habeas corpus, and that there should be a complete record in each case showing how the merits of claimed federal constitutional rights were considered and disposed of.⁷⁰

The views of the state judges were given support by Justice Jackson, who objected to the Supreme Court's use of the general language of the Fourteenth Amendment to subject state courts to increasing federal control, especially in the field of criminal law, and to *ad hoc* determinations of due process issues "by personal notions of justice instead of by known rules of law." He complained that "this Court has sanctioned progressive trivialization of the writ until floods of stale, frivolous and repetitious petitions inundate the docket of the lower courts and swell our own." The fact that only a tiny number of the hundreds of petitions filed are granted was proof to him that the procedure en-

⁷⁰ *State Government*, Vol. 26, pp. 241-45 (Oct., 1953). See also the suggestions of the Attorney General of Indiana, James A. Emmert, "Use and Misuse of Habeas Corpus Writ by Prisoners," *Proceedings of the Conference of the National Association of Attorneys General* (1946), pp. 53-59. Consult: O. John Rogge and Murray A. Gordon, "Habeas Corpus, Civil Rights, and the Federal System," *University of Chicago Law Review*, Vol. 20, pp. 509-28 (Spring, 1953); Melvin E. Beverly, "Federal-State Conflicts in the Field of Habeas Corpus," *California Law Review*, Vol. 41, pp. 483-98 (Fall, 1953).

courages frivolous cases. He insisted that a denial of certiorari must mean something, since "it is just one of the facts of life that today every lower court does attach importance to denials." While a denial of certiorari creates no precedent, and therefore has no significance as *stare decisis*, Justice Jackson thought it is *res judicata* for the case in which it was brought up. His conclusion was that whether or not certiorari has been denied, no lower federal court ought to entertain the habeas corpus petition of a state prisoner unless the petition raises a jurisdictional question involving federal law as to which there is no state remedy, or unless the prisoner was improperly prevented from making a record on a question which could be presented.⁷¹ The view that a denial of certiorari should be *res judicata* for most cases is open to the objection that it would require the Court to consider every petition on its merits. This would saddle the Court with a tremendous burden of work now better done through hearings in the district courts, and would tend to defeat the very purpose of the discretionary writ.

Another aspect of the exhaustion of state remedies doctrine in connection with federal habeas corpus was litigated in *Sweeney v. Woodall*.⁷² The issue was left over from *Johnson v. Dye*,⁷³ where a fugitive from a Georgia chain gang, after arrest in Pennsylvania, without going as far as he could in the state courts through habeas corpus, tried the federal courts. The Court of Appeals ruled in the *Johnson* case that the doctrine of exhaustion of state remedies in habeas corpus cases did not apply to extradition. The Supreme Court reversed in a one-sentence *per curiam* opinion which merely cited *Ex parte Hawk*.⁷⁴ While the *Hawk* rule was that a state convict must exhaust all of his state remedies before going to a federal court, the question still remained whether this referred to the remedies available in the demanding or in the asylum state. In the *Sweeney* case, the Court held that the fugitive must exhaust the remedies of the demanding state. Woodall was a fugitive from an Alabama prison who was arrested in Ohio. Alleging brutal mistreatment in Alabama, to which he would again be subject if returned, he litigated an application for habeas corpus all through the Ohio courts, including a petition for certiorari in the Supreme Court of the United States. Then he started over again in a federal district court. The Supreme Court ruled that Woodall made no showing that relief was unavailable to him in the courts of Alabama. By resorting to self-help, he had changed his status from a prisoner of Alabama to that of a fugitive from Alabama. "But this should not affect the authority of the Alabama courts to determine the validity of his imprisonment in Alabama." Both the rendition clause of the Con-

⁷¹ While a majority of the Court agreed that it was error for the lower federal courts in the *Brown v. Allen* litigation to give weight to the previous denial of certiorari, a majority of six also held that on the facts it was not reversible error. On this point see Justice Black's dissenting opinion at 344 U.S. 548-50, and Justice Frankfurter's at 344 U.S. 554-60.

⁷² 344 U.S. 86 (1952).

⁷³ 175 F. 2d 250 (3d Cir. 1949), reversed, 338 U.S. 864 (1949).

⁷⁴ 321 U.S. 114 (1944).

stitution and the federal extradition statute, the Court noted, contemplate the prompt return of a fugitive from justice as soon as the demanding state asks for him. "Considerations fundamental to our federal system," including considerations of convenience, require the prisoner to test the claim of unconstitutional treatment by Alabama. In a concurring opinion Justice Frankfurter argued that it ought to be assumed that Alabama's prison officials will not prevent Woodall from invoking the aid of the local courts. Justice Douglas, who dissented alone, said that if Woodall's allegations are true, he will suffer torture and even risk death if he tries to get relief in Alabama. He rebelled at the thought "that any human being, Negro or white, should be forced to run a gamut of blood and terror in order to get his constitutional rights."

Relations of Federal and State Courts. That ordinarily it is preferable for the state courts to construe new state statutes before federal courts undertake to do so was underscored in *Albertson v. Millard*.⁷⁵ Five days after the Governor of Michigan signed a Communist Control Act, the Communist party of Michigan asked for an injunction and declaratory judgment in the federal district court on due process grounds. Losing there, the party appealed to the Supreme Court, which vacated judgment and remanded the cause with directions to hold all proceedings in abeyance a reasonable time pending construction of the statute by the state courts. Justice Douglas thought that the issues would not be made any clearer by any decision of the state courts.

In another case, *Edelman v. California*,⁷⁶ the Court held it is without power to decide whether constitutional rights have been denied by a state when the federal questions are not seasonably raised in accordance with the requirements of state law. Edelman had been convicted of violating a vagrancy statute, and the appellate court affirmed by default. Since California permits affirmance in criminal cases where the defendant fails to appear, the noncompliance with local law was an adequate state ground for the decision below.⁷⁷

In deference to the dignity of the states, it has always been the policy of both Congress and the Supreme Court to review a judgment or decree of a state court only if the judgment or decree is final.⁷⁸ Accordingly, the Court refused to review, by certiorari, a temporary injunction issued by an Alabama court to enjoin peaceful picketing by a union.⁷⁹ The Court insisted that far from being a technicality, this policy is an important factor in the smooth working of our federal system. Justices Black and Douglas dissented on the theory that since the damage done by an interlocutory order is often irreparable, the assertion

⁷⁵ 345 U.S. 242 (1953). See Note, "Power to Decline the Exercise of Federal Jurisdiction," *Minnesota Law Review*, Vol. 37, pp. 46-64 (Dec., 1952).

⁷⁶ 344 U.S. 357 (1953). See Paul J. Mishkin, "The Federal 'Question' in the District Courts," *Columbia Law Review*, Vol. 53, pp. 157-96 (Feb., 1953).

⁷⁷ In *Dixon v. Duffy*, 344 U.S. 143 (1952), a state judgment was vacated and the case remanded in order to give the Supreme Court of California a chance to determine officially whether or not the judgment rested on an adequate state ground.

⁷⁸ U.S. Code, Title 18, Section 1257.

⁷⁹ *Montgomery Building & Construction Trades Council v. Ledbetter Erection Co.*, 344 U.S. 178 (1952).

by the state court of the power to act in an interlocutory way is final unless the rule of finality is regarded as purely mechanical.

Judicial Review of the Military. There were two important cases during the Term testing the scope of judicial review of military decisions. *Burns v. Wilson*⁸⁰ dealt with two soldiers who had been tried by Army courts-martial on the Island of Guam for rape and murder and sentenced to death. The sentences were confirmed by the President, and the defendants exhausted all remedies available under the Articles of War for review by military tribunals. Then they applied for habeas corpus in the District Court of the District of Columbia, alleging denial of several due process rights, with some special emphasis upon the use of coerced confessions. The District Court dismissed without hearing evidence, holding merely that the court-martial had jurisdiction over the defendants, the crime, and the sentence. The Court of Appeals affirmed, but reviewed in detail the mass of evidence in the transcripts and other proceedings. By a 6-2 vote the Supreme Court affirmed. Because of the peculiar relationship between the civil and military law, the Chief Justice declared, the court's inquiry in military habeas corpus has always been narrower in scope than in civil cases. Like state law, military law is a separate jurisprudence, and the Supreme Court has no supervisory powers over the military courts. Congress, to whom the whole matter is entrusted by the Constitution, has provided a complete system of review within the military system. Only recently Congress revised completely the Articles of War and adopted a Uniform Code of Military Justice, thereby furnishing careful guarantees of a fair trial and review, including a post-conviction remedy for collateral attacks on judgments. Thus, like the state courts, the military courts have the same responsibilities that the regular federal courts have to protect constitutional rights.

Nevertheless, the Chief Justice declared, the civil courts do have jurisdiction over an application for habeas corpus from a military prisoner, but if the military decision has dealt fully and fairly with an allegation raised in the application, the civil court may not grant the writ merely to reevaluate the evidence. If the military courts had refused to consider the serious due process claims advanced by the petitioners, then the District Court would have had the power to review them *de novo*. The records show, however, that the military courts considered all allegations now made. The rule of the *McNabb* case⁸¹ against the use of coerced confessions, it was held, is a rule of evidence only in the federal civil courts, since the source of the rule is not due process, but rather this Court's power of supervision over the administration of justice in the federal

⁸⁰ 346 U.S. 137 (1953). Cf. *Hiatt v. Brown*, 339 U.S. 105 (1950). See the symposium on military justice in *Vanderbilt Law Review*, Vol. 6, pp. 161-365 (Feb., 1953), and particularly James Snedeker's article, "Habeas Corpus and Court-Martial Prisoners"; James Snedeker, *Military Justice and the Uniform Code* (Boston, 1953); Mandeville Mullally, Jr., "Military Justice: The Uniform Code in Action," *Columbia Law Review*, Vol. 53, pp. 1-27 (Jan., 1953); Henry M. Hart, Jr., "The Power of Congress to Limit the Jurisdiction of Federal Courts," *Harvard Law Review*, Vol. 66, pp. 1362-1402 (June, 1953).

⁸¹ *McNabb v. United States*, 318 U.S. 332 (1943).

courts. Petitioners have failed to show that military review was inadequate legally, and they have no right to make a new record and prove their case *de novo* in the District Court. In dissent, Justices Douglas and Black took the position that in reviewing military trials civil courts are not limited to the question of "jurisdiction" in the historic sense of the term. They believed that the undisputed facts made out a *prima facie* case that the rule on coerced confessions had been violated, since the defendants had been held incommunicado and questioned repetitiously without benefit of counsel for a period of five days.

In *Orloff v. Willoughby*,⁸² by a 6-3 vote, the Court declined to interfere with the Army's classification of a physician inducted under the Doctor's Draft Act. Because of age, Orloff was not liable to induction except under the special act. Although doctors have always been given commissions in the Army, Orloff was refused because he declined on grounds of conscience and constitutional privilege to execute a loyalty certificate requiring disclosure of membership in organizations on the Attorney General's list. While the Army finally agreed that he was entitled to serve as a doctor, Orloff claimed that he was either entitled to a commission or to a discharge, and petitioned for habeas corpus. The Supreme Court ruled that the statutes do not require all personnel inducted under the Doctor's Draft Act to be either commissioned or discharged. Justice Jackson said that the commissioning of Army officers is a matter of discretion within the province of the President as Commander-in-Chief, not subject to control by the courts. Orloff was subject to conscription under the special act. "But, if he is the first to be denied a commission," said Justice Jackson, "it may also be that he is the first doctor to haggle about questions concerning his loyalty. It does not appear to us that it is the President who breaks faith with Congress and the doctors of America. We are not easily convinced that the whole military establishment is out of step except Orloff." There is no doubt of the fact that Orloff may refuse on the basis of constitutional privilege to withhold facts about membership in the Communist party, but it does not follow that even so he is entitled to an appointment to a position of honor and trust. Finally, the Court ruled that one who has been lawfully inducted may not by habeas corpus obtain judicial review of his assignments to duty. Commanding officers must have large areas of discretion in such matters, and "judges are not given the task of running the Army."

In his dissenting opinion Justice Black pointed out that since 1847 Army doctors have served only when commissioned as officers, and that in Orloff's case the Army was breaking faith with Congress and the country's doctors. Although the government conceded that Orloff was entitled to be assigned medical duties, Justice Black thought that this point was still in controversy and ought to be resolved by the District Court through a remand. In a separate dissenting

⁸² 345 U.S. 83 (1953). See Note, "Habeas Corpus and Judicial Review of Draft Classifications," *Indiana Law Journal*, Vol. 28, pp. 244-56 (Winter, 1953); Jacobus tenBroek, "Wartime Power of the Military over Citizen Civilians within the Country," *California Law Review*, Vol. 41, pp. 167-208 (Summer, 1953).

opinion, Justice Frankfurter took the position that a doctor-draftee who is found unfit for a commission is entitled, under the special act, to a discharge. In this fashion the courts will not be required to meddle with the management of the Army by issuing direct orders, since the draftee is simply released from duty.

Eleventh Amendment. In an original suit by New Jersey against New York and New York City for injunctive relief against water diversion, Pennsylvania was permitted to intervene. The Court denied Philadelphia's motion to intervene, but held that this ruling involved no interpretation of the Eleventh Amendment.⁸³ The *parens patriae* doctrine, it was noted, means that when a state is a party to a suit "involving a matter of sovereign interest" it must be assumed that it represents all of its citizens. Since Philadelphia represented only a part of the citizens of the state residing in the watershed, the Court was apprehensive of being drawn into an "intramural dispute." There are also New Jersey cities and even large industrial plants which might insist upon the right to intervene. The Court's original jurisdiction, it was stated, "should not be thus expanded to the dimensions of ordinary class actions."

International Law. Larsen, a Danish seaman, while temporarily in New York, joined the crew of a ship of the Danish flag, owned by a Danish citizen. He signed the ship's articles, which were written in Danish, and which provided that the rights of the crew members would be governed by Danish law and by the owner's contract with a Danish union, of which Larsen was a member. Larsen was injured in the course of employment, while aboard the ship in Havana harbor. He brought suit in the federal district court for the Southern District of New York, under the Jones Act of 1920, which permits "any seaman" to sue under it. The Supreme Court ruled that Congress did not intend to give all alien seamen anywhere in the world access to our courts, and thus reversed a verdict in favor of Larsen.⁸⁴ The Jones Act, said Justice Jackson, was enacted "with regard to a seasoned body of maritime law." The Court is committed to the proposition that an act of Congress ought never to be construed to violate the law of nations if any other interpretation is possible. It is also established that if possible a statute will not be construed as applying to foreigners in connection with acts done by them outside this country.

The Court held that it was not conclusive that the owner had many commercial contacts with United States ports; this is the virtue of sea-borne commerce. If every contact is exploited to the full, there is the danger that a "multiplicity of conflicting and overlapping burdens would blight international carriage by sea." That is why the courts of commercial nations prefer to defer to "international maritime law of impressive maturity and universality," which has the force of law through general acceptance. In this case, Justice Jackson ruled, most of the "connecting factors" favored application of Danish law. For

⁸³ *New Jersey v. New York*, 345 U.S. 369 (1953). Two Justices dissented on the ground that the claim of Philadelphia to becoming a party was as good as that of New York City, which was already a party.

⁸⁴ *Lauritzen v. Larsen*, 345 U.S. 571 (1953).

example, both the sailor and the shipowner were nonresident aliens, the wrongful act took place outside the United States, the flag was foreign, the parties to the contract intended to apply Danish law, and a ready remedy was available under Danish law.

Federal Trial Examiners. By a 6-3 decision, the Court made it clear that while trial examiners appointed under Section 11 of the Administrative Procedure Act were intended by Congress to be a special class subject to special control by the Civil Service Commission, their position is not a constitutionally protected one, but one which depends entirely upon the will of Congress.⁸⁵ Accordingly the Court approved a number of rules worked out by the Commission. For example, the Court rejected the claim that all hearing examiners in any one agency must be classified in the same grade, and approved a Commission classification according to skill, experience, and ability. The Court also regarded as permissible a rule which permits the agency to decide whether or not a vacancy should be filled by promotion from among present examiners, and decided that cases do not have to be rotated among the examiners in a mechanical fashion. The three dissenters thought that these regulations frustrated the intent of Congress to give trial examiners "a new status of freedom from agency control" by permitting agency heads to influence cases through the power of classification and assignment.⁸⁶

II. QUESTIONS OF STATE POWER

1. DUE PROCESS OF LAW

Loyalty Oaths. The 1952 Term again illustrated the importance in our day of litigation posing civil liberties issues.⁸⁷ This was especially true of cases com-

⁸⁵ *Ramspeck v. Federal Trial Examiners Conference*, 345 U.S. 128 (1953). See Note, "The Status of the Trial Examiner in Administrative Agencies," *Harvard Law Review*, Vol. 66, pp. 1065-81 (April, 1953); Simon Tucker, "The Administrative Law of Federal Hearing Examiner Personnel," *George Washington Law Review*, Vol. 21, pp. 38-60, 198-240 (Oct., Dec., 1952); Lloyd D. Musolf, *Federal Examiners and the Conflict of Law and Administration* (Baltimore, 1953).

⁸⁶ In *United States v. L. A. Tucker Truck Lines, Inc.*, 344 U.S. 33 (1952), the Court held that an objection to an ICC hearing on the ground that the examiner had not been appointed pursuant to Section 11 of the Administrative Procedure Act must first be made before the agency itself, and that it is too late to make it for the first time in a reviewing court.

⁸⁷ See Zechariah Chafee, Jr., *How Human Rights Got into the Constitution* (Boston, 1952); American Jewish Congress and National Association for the Advancement of Colored People, *Civil Rights in the United States: 1952* (New York, 1953); American Civil Liberties Union, *Freedom, Justice, Equality: Report on Civil Liberties, January 1951-June 1953* (New York, 1953); John Lord O'Brian, "New Eneroachments on Individual Freedom," *Harvard Law Review*, Vol. 66, pp. 1-27 (Nov., 1953); Charles R. Nixon, "Freedom vs. Unity: A Problem in the Theory of Civil Liberty," *Political Science Quarterly*, Vol. 68, pp. 70-88 (March, 1953); Howard Jay Graham, "Procedure to Substance—Extra-Judicial Rise of Due Process, 1830-1860," *California Law Review*, Vol. 40, pp. 483-500 (Winter, 1952-3); Kenneth A. Poole, "Statutory Remedies for the Protection of Civil Rights," *Oregon Law Review*, Vol. 32, pp. 210-53 (April 1953); Marion S. Riggs, "The

ing up from the state courts involving due process questions. Among them, the loyalty oath case of *Wieman v. Updegraff*,⁸⁸ where all the Justices were, *mirabile dictu*, in agreement, is of outstanding significance. As part of the effort of the states to combat subversive activities, Oklahoma adopted a statute in 1951 which required all state officers and employees to take an oath. Among other things, they were required to swear that they had not been members of subversive organizations within the last five years. Organizations were described as subversive if they advocate, teach, or justify the overthrow of government by any unlawful means, including the Communist party, any organization affiliated with it directly or indirectly, the Third International, and any association on the list of the Attorney General or of any other authorized agency of the United States.

A citizen-taxpayer brought an action to enjoin the payment of salaries to certain members of the staff of Oklahoma A. & M. College who failed to take the oath within the allotted thirty days. Limiting the list of proscribed organizations to those on the Attorney General's list at the time of its passage, the Oklahoma Supreme Court held the act valid. The Supreme Court of the United States reversed. Justice Clark pointed out that in all previous cases involving loyalty oaths, such as the *Garner*, *Adler* and *Gerende* cases,⁸⁹ the Court was assured that knowing membership in a proscribed organization, or *scienter*, was a requirement of the statute. Since the Oklahoma Supreme Court refused to give these non-jurors a chance to take the oath as interpreted, and on petition for rehearing rejected the argument that failure to permit them to take the oath as interpreted in the federal precedents violated due process, it was concluded that the state holding was that knowledge is not a factor under the Oklahoma statute.

Since membership alone is set up as a conclusive presumption of disloyalty, the statute is unconstitutional, because "membership may be innocent. A state servant may have joined a proscribed organization unaware of its activities and

Existence of Civil Rights at Common Law," *South Carolina Law Quarterly*, Vol. 5, pp. 449-57 (March, 1953); Note, "The Proper Scope of the Civil Rights Acts," *Harvard Law Review*, Vol. 66, pp. 1285-1300 (May, 1953).

⁸⁸ 344 U.S. 183 (1952). See *The States and Subversion*, ed. Walter Gellhorn (Ithaca, 1952); Note, "Effectiveness of State Anti-Subversive Legislation," *Indiana Law Journal*, Vol. 28, pp. 492-520 (Summer, 1953); Note, "State Control of Subversion: A Problem in Federalism," *Harvard Law Review*, Vol. 66, pp. 327-34 (Dec., 1952); Clark Byse, "A Report on the Pennsylvania Loyalty Act," *University of Pennsylvania Law Review*, Vol. 101, pp. 1-29 (Jan., 1953); Eleanor Bontecou, *The Federal Loyalty-Security Program* (Ithaca, 1953); George K. Gardner, "Bailey v. Richardson and the Constitution of the United States," *Boston University Law Review*, Vol. 33, pp. 177-203 (April, 1953); Ralph S. Brown, Jr. and John D. Fassett, "Security Tests for Maritime Workers: Due Process under the Port Security Program," *Yale Law Journal*, Vol. 62, pp. 1163-1208 (July, 1953); Comment, "Loyalty and Private Employment," *Yale Law Journal*, Vol. 62, pp. 954-84 (May, 1953); National Industrial Conference Board, *Industrial Security: Combating Subversion and Sabotage* (1952).

⁸⁹ *Garner v. Board of Public Works*, 341 U.S. 716 (1951); *Adler v. Board of Education*, 342 U.S. 485 (1952); *Gerende v. Board of Supervisors*, 341 U.S. 56 (1951).

purposes. In recent years, many completely loyal persons have severed organizational ties after learning for the first time of the character of groups to which they had belonged." On this point Justice Clark quoted the weighty testimony of Mr. J. Edgar Hoover. Furthermore, "at the time of affiliation, a group itself may be innocent, only later coming under the influence of those who would turn it toward illegitimate ends." The opposite may also occur. It follows that since under the Oklahoma statute association alone determines disloyalty, whether or not it existed innocently or knowingly, individual freedom of movement is inhibited and "the flow of democratic expression and controversy" is stifled at one of its chief sources. Therefore, "indiscriminate classification of innocent with knowing activity must fall as an assertion of arbitrary power. The oath offends due process."

Finally, said Justice Clark, it is not necessary to consider whether an abstract right to public employment exists. "It is sufficient to say that constitutional protection does extend to the public servant whose exclusion pursuant to a statute is patently arbitrary or discriminatory." In a separate opinion Justice Black deplored the "suppressive laws and practices" which are now the fashion, denounced test oaths as "notorious tools of tyranny," and as "unspeakably odious to a free people," and advanced a strong argument for complete free speech for all. He also asserted, as before, that the statute was a bill of attainder. Justice Frankfurter emphasized, in a noble statement, that exercising the right of association was peculiarly characteristic of our people, that joining is an exercise of free speech and free inquiry, and that freedom of speech and thought are especially important for teachers, particularly in a system which rests upon public opinion.

Freedom of Speech. An interesting free speech issue was decided in *Poulos v. New Hampshire*.⁹⁰ The City Council of Portsmouth, New Hampshire, refused a Jehovah's Witness a license to conduct a religious service in a public park, although Poulos offered to pay all proper fees and complied with all procedural requirements of the applicable city ordinance. Poulos went ahead and held his service anyhow, until arrested. On appeal from a motion to dismiss the complaint, the state Supreme Court ruled that the city may require licenses, that the ordinance is valid on its face, but that it must be administered fairly and without discrimination. A trial followed, and the trial court held that the refusal of the license by the city was arbitrary and unreasonable, but that Poulos should have raised this question by proper civil proceedings instead of delib-

⁹⁰ 345 U.S. 395 (1953). On free speech issues see: Harold L. Cross, *The People's Right to Know* (New York, 1953); Alexander Meiklejohn, "What Does the First Amendment Mean?," *University of Chicago Law Review*, Vol. 20, pp. 461-79 (Spring, 1953); Morris L. Ernst and Arthur J. Katz, "Speech: Public and Private," *Columbia Law Review*, Vol. 53, pp. 620-31 (May, 1953); Henry M. Kittleson and J. Allen Smith, "Free Speech (1949-1952): Slogans v. States' Rights," *University of Florida Law Review*, Vol. 5, pp. 227-60 (Fall, 1952); Glenn Abernathy, "Assemblies in the Public Streets," *South Carolina Law Quarterly*, Vol. 5, pp. 384-416 (March, 1953); Note, "Obscenity—Construction and Constitutionality of Statutes Regulating Obscene Literature," *New York University Law Review*, Vol. 28, pp. 877-90 (April, 1953).

erately violating the ordinance. The New Hampshire Supreme Court agreed, ruling that the ordinance was valid on its face, on the authority of *Cox v. New Hampshire*,⁹¹ and that Poulos' proper remedy was to seek a review by certiorari of the unlawful refusal of the Council to grant the license, not to hold public religious services in the park without a license, and then defend because the refusal of the license was arbitrary. In the United State Supreme Court Poulos argued that no license for conducting religious services in a public park may be required, and that the delay which would follow from seeking judicial review of an arbitrary denial of a license results in an unconstitutional abridgment of freedom of speech and religion.

The state court was affirmed. Since the ordinance had to be administered fairly, Justice Reed declared for the majority, it was a routine police measure, not a previous restraint on liberty, under which the licensing officials had no discretionary power, no authority to discriminate, no control over speech. He admitted that "judicial correction of arbitrary refusal by administrators to perform official duties under valid laws is exulcerating and costly." Nevertheless, he said that to allow people to proceed to hold public meetings without prior arrangement is apt to cause breaches of the peace or create public dangers. "Delay is unfortunate," he stated, "but the expense and annoyance of litigation is a price citizens must pay for life in an orderly society." It was held that due process does not prevent a state from requiring that in the public interest the reasonable method of correcting the error be by certiorari.

Justice Black described this as one of a series of recent decisions "which fail to protect the right of Americans to speak freely." The *Cox* case, he argued, dealt only with street parades and had nothing to do with a free speech question. He thought the procedure would be appropriate for business matters, but inappropriate here because the First Amendment gives free speech a special protection. So also Justice Douglas maintained that when a legislature proscribes free speech it acts unlawfully and the citizen can take matters in his own hands. The reason is the preferred position of the freedoms of the First Amendment, which says that there shall be *no* law which abridges them. He argued that the licensing of speech is a prior restraint, that "there is no free speech in the sense of the Constitution when permission must be obtained from an official before a speech can be made."

Reaffirming a long list of recent decisions on the subject, the Court ruled that Virginia may enjoin peaceful picketing carried on for purposes in conflict with the state Right to Work Act, which outlaws both the closed shop and the yellow-dog contract.⁹² Justice Douglas protested that when peaceful picketing is used as an instrument of publicity, it is a form of speech protected by the Constitution, but this is a lost cause. Only Justice Black joined him in dissent.

*Freedom of Religion. Fowler v. Rhode Island*⁹³ posed a variation of the issue at

⁹¹ 312 U.S. 569 (1941).

⁹² *Local Union No. 10, A. F. of L. v. Graham*, 345 U.S. 192 (1953).

⁹³ 345 U.S. 67 (1953). See Leo Pfeffer, *Church, State and Freedom* (Boston, 1953); Wilber G. Katz, "Freedom of Religion and State Neutrality," *University of Chicago Law*

stake in the *Poulos* case. Pawtucket, Rhode Island, has an ordinance which prohibits the making of political or religious speeches in any public park, though it permits religious or political gatherings if public addresses are not made. In what the state conceded to be a religious meeting, a Jehovah Witness minister delivered a sermon to an orderly meeting in a park. The state admitted in oral argument that the ordinance did not prohibit church services in the park. The Court held unanimously that it was plain that a religious service of Jehovah's Witnesses was treated differently than religious services of other sects. This, said Justice Douglas, "amounts to the state preferring some religious groups over this one." He noted that the religious service of this sect is different, less ritualistic and formal than some, but "it is no business of courts to say that what is a religious practice or activity for one group is not religion under the protection of the First Amendment. Nor is it in the competence of courts under our constitutional scheme to approve, disapprove, classify, regulate, or in any manner control sermons delivered at religious meetings. Sermons are as much a part of a religious service as prayers. . . . To call the words which one minister speaks to his congregation a sermon, immune from regulation, and the words of another minister an address, subject to regulation, is merely an indirect way of preferring one religion over another."⁹⁴

The *Kedroff* case⁹⁵ involved a more subtle question with pluralistic overtones. At issue was the right to occupy and use the St. Nicholas Cathedral in New York. One of the contesting parties claimed appointment from the Russian Orthodox Church of North America, a corporation created by the legislature of New York in 1925, whose archbishop was elected by a sobor (convention) of the American churches in 1924, when they broke away from the mother church in Moscow. The other party was appointed by the supreme authority of the Russian Orthodox Church in Moscow. The New York Court of Appeals held, in a 4-3 decision, that the prelate appointed by the ecclesiastical officials in Moscow was not entitled to the cathedral on the basis of a 1945 state statute which in effect brought all of the New York churches formerly subject to the administrative jurisdiction of the Moscow authorities into an autonomous

Review, Vol. 20, pp. 426-40 (Spring, 1953); Leo Pfeffer and James M. O'Neill, debating "The Meaning of the Establishment Clause," *Buffalo Law Review*, Vol. 2, pp. 225-79 (Spring, 1953); George E. Reed, "Church-State and the Zorach Case," *Notre Dame Lawyer*, Vol. 27, pp. 529-51 (Summer, 1952); James E. Harpster, "Religion, Education and the Law," *Marquette Law Review*, Vol. 36, pp. 24-66 (Summer, 1952); William W. Boyer, Jr., "Religious Education of Public School Pupils in Wisconsin," *Wisconsin Law Review*, Vol. 1953, pp. 181-255 (March, 1953), "Property Rights of Religious Institutions in Wisconsin," *Marquette Law Review*, Vol. 36, pp. 329-70 (Spring, 1953), "Religion and the Police Power in Wisconsin," *Marquette Law Review*, Vol. 37, pp. 1-34 (Summer, 1953).

⁹⁴ Justice Frankfurter concurred except insofar as the opinion was based on the First Amendment. He thought the Equal Protection Clause of the Fourteenth Amendment was controlling.

⁹⁵ *Kedroff v. St. Nicholas Cathedral of Russian Orthodox Church*, 344 U.S. 94 (1952). See the astute remarks of Mark De Wolfe Howe, "Political Theory and the Nature of Liberty," *Harvard Law Review*, Vol. 67, pp. 91-95 (Nov., 1953).

North American metropolitan district. The statute directed that all the churches formerly subject to the Moscow synod and patriarchate should in the future be under the hierarchy of the American church. The Russian patriarch was elected in 1945 in Moscow by a sobor recognized by all parties to this litigation as a true sobor held in accordance with church canons.

With Justice Jackson dissenting alone, the Court held that the New York statute, which undertook to transfer control of the New York Churches of the Russian Orthodox religion from the patriarch and synod of Moscow to the governing authorities of the American church, was unconstitutional. Said Justice Reed: "Such a law violates the Fourteenth Amendment. It prohibits the free exercise of religion."⁹⁶ He also pointed out that the state required the New York churches to conform with the faith, doctrine, and canon law of the Orthodox Church, an obviously improper thing for a legislature to do. In reply to the argument of the New York Court of Appeals that the statute was designed to protect the American churches from the subversive influences of the Russian state, Justice Reed stated: "Legislative power to punish subversive action cannot be doubted. If such action should be actually attempted by a cleric, neither his robe nor his pulpit would be a defense. But in this case no problem of punishment for the violation of law arises. There is no charge of subversive or hostile action by any ecclesiastic. Here there is a transfer by statute of control over churches. This violates our rule of separation between church and state."

The Court leaned heavily on the post-Civil War case of *Watson v. Jones*,⁹⁷ which came up on diversity long before the Fourteenth Amendment amounted to anything, and was decided, in pre-*Tompkins* days, on the basis of general law. This case defended the right of the officials of a hierarchical church to control all property of the church, as against the claims of schismatical elements. The opinion of this case, said Justice Reed, radiates "a spirit of freedom for religious organizations, an independence from secular control or manipulation, in short, power to decide for themselves, free from state interference, matters of church government as well as those of faith and doctrine." Contrary to the holding of the New York court, Justice Reed said that the statute goes far beyond merely providing that the trustees of the Cathedral should use it consistently with the desires of the members of the Russian Church in America. "By fiat it displaces one church administrator with another. It passes the control of matters directly ecclesiastical from one church authority to another. It thus intrudes for the benefit of one segment of a church the power of the state into the forbidden area of religious freedom contrary to the principles of the First Amendment."⁹⁸

⁹⁶ Just whose freedom was prohibited was not made clear. The Fourteenth Amendment speaks only of the rights of "persons."

⁹⁷ 13 Wall. 679 (1871).

⁹⁸ Justice Reed also held that New York's legislative application of *cy-pres* doctrine to this trust did not avoid the constitutional objection. It was explained that *Church of Jesus Christ of Latter-Day Saints v. United States*, 136 U.S. 1 (1890), upon which reliance was had, dealt with a seizure of property based on the general rule that where a charitable

Justice Jackson, in dissent, took the position that this was merely a dispute over real estate which the Fourteenth Amendment leaves to the state courts to decide without federal interference. He thought that since the New York courts could have made the same decision without the statute, it is for each state to say which branch of government should establish a rule for this sort of controversy. He argued that when this church incorporated under New York law, it submitted all of its temporal affairs to New York law. Finally, he did not think that New York law "must yield to the authority of a foreign and unfriendly state masquerading as a spiritual institution," nor could he agree that the principle of separation of church and state means that a state must submit property rights to settlement by canon law.

Confessions. In the so-called Reader's Digest murder case, *Stein v. New York*,⁹⁹ three men, Stein, Cooper, and Wissner, were convicted of murder after jury trial and sentenced to death. The evidence included written confessions by Cooper and Stein, each implicating all three. All objected to the introduction of the confessions on the ground that they had been coerced. The issue of coercion was heard by the trial court in the presence of the jury, and the judge left the issue to the jury. A great deal of evidence was submitted to the jury in addition to the confessions. Both confessions were made at a time when the prisoners were illegally held incommunicado.

Cooper was questioned from 8 P.M. to about 1 A.M. and the following day from 10 A.M. to 6 P.M. Stein was questioned an hour in the morning, from two to three hours in the afternoon, and then from 7 P.M. to 2 A.M. There was no direct testimony of physical violence or threats, and police testimony that violence and threats were not used was unshaken. No defendant took the stand. The jury was instructed to consider the confessions only if it found them to have been voluntary. Since the jury rendered a general verdict, the jury could have concluded that the confessions had been coerced and still convict.

corporation is dissolved as unlawful, the sovereign distributes the property, according to the *cy-pres* doctrine, to objects of charity and usefulness. In *Kedroff* there was no such dissolution or seizure.

⁹⁹ 346 U.S. 156 (1953). See Francis A. Allen, "Due Process and State Criminal Procedures: Another Look," *Northwestern University Law Review*, Vol. 48, pp. 16-35 (March-April, 1953); Marne S. Matherne, "Pretrial Confessions—A New Rule," *Tennessee Law Review*, Vol. 22, pp. 1011-24 (June, 1953); Jerome Hall, "Police and Law in a Democratic Society," *Indiana Law Journal*, Vol. 28, pp. 133-77 (Winter, 1953); Emily Marx, "Psychosomatics and Coerced Confessions," *Dickinson Law Review*, Vol. 57, pp. 1-23 (Oct., 1952). On various aspects of the self-incrimination problem see: Osmond K. Fraenkel, "The Fourth Amendment and the Federal Courts," *Lawyers Guild Review*, Vol. 12, pp. 73-77 (Spring, 1952); Louis B. Boudin, "The Constitutional Privilege in Operation," *Lawyers Guild Review*, Vol. 12, pp. 128-49 (Summer, 1952); John M. Murray, "The Privilege against Self-Incrimination versus Immunity: Proposed Statutes," *Georgetown Law Journal*, Vol. 41, pp. 511-24 (May, 1953); James B. Smith, "The Privilege of Silence and the Legislative Process," *Georgetown Law Journal*, Vol. 41, pp. 330-62 (March, 1953); Alan F. Westin, "Do Silent Witnesses Defend Civil Liberties?," *Commentary*, Vol. 15, pp. 537-46 (June, 1953); Laurent B. Frantz and Norman Redlich, "Does Silence Mean Guilt?," *The Nation*, Vol. 176, pp. 471-77 (June 6, 1953).

Speaking for a majority of six, Justice Jackson ruled that the procedure involved in this case was constitutional. For one thing, it leans heavily on the jury; under New York practice the judge can rule a confession inadmissible, but cannot make a final determination that it is admissible. But not everything is left to the jury, since the judge can set the verdict aside if he thinks the evidence does not warrant it. It was argued, however, that the defendants could not have taken the stand to support the charge of coercion without subjecting themselves to general cross-examination, through which the prosecution could have impeached their credibility, since each had an impressive criminal record. The answer in part was that under New York law trial courts have an exceptional discretion to prevent abuse and injustice, and that the defendants had not asked for a ruling as to the scope of cross-examination. But mainly the Court held that as in trial of every other issue, in the trial of the coercion issue the accused must choose between the disadvantage of silence and that of testifying. Said Justice Jackson: "The Constitution safeguards the right of a defendant to remain silent; it does not assure him that he may remain silent and still enjoy the advantages that might have resulted from testifying." Finally, it was held that the Fourteenth Amendment does not forbid jury trial of the issue of coercion. "The states are free to allocate functions as between judge and jury as they see fit."

On the merits, the Court ruled that it was not unconstitutional if these confessions were used as the basis of conviction. While the Supreme Court is not completely bound by state court determinations of any issue essential to the assessment of a claim of federal right, it gives weight to the decision below and does not approach the record *de novo*, or with the latitude which some state appellate courts possess. The Fourteenth Amendment does not assure immunity from all judicial error. Justice Jackson declared: "It is only miscarriages of such gravity and magnitude that they cannot be expected to happen in an enlightened system of justice, or be tolerated by it if they do, that cause us to intervene to review, in the name of the Federal Constitution, the weight of conflicting evidence to support a decision by a state court." In most cases the primary and final responsibility must rest with the state courts, who are closest to the scene of events.

Nevertheless, Justice Jackson considered the various issues of fact in the case. As for physical violence, he noted that positive police testimony, not inherently improbable, was unshaken on cross-examination. With regard to psychological coercion inherent in the questioning, the Justice asserted: "Interrogation is not inherently coercive, as is physical violence. Interrogation does have social value in solving crime, as physical force does not." The limits of interrogation depend upon all the circumstances in each case, and it was noted that these defendants were neither young, soft, ignorant, nor timid. Extensive questioning by relays of police was approved as a means of solving crimes. "Of course," said Justice Jackson, "these confessions were not voluntary in the sense that petitioners wanted to make them, or that they were completely spontaneous, like a confession to a priest, a lawyer, or a psychiatrist. But in

this sense no criminal confession is voluntary." Finally, on the question of delay and illegal detention, it was held that while this was relevant to the issue of coercion, it had been presented to the jury. The Court ruled that the more rigid rule of exclusion which it has promulgated for federal courts in the exercise of its supervisory power should not be confused with the more limited requirements of the Fourteenth Amendment.

The Court also ruled that if the jury rejected the confessions, it could constitutionally base a conviction on other sufficient evidence. The trial court had refused an instruction that if the jury found the confessions were coerced it must acquit. The Supreme Court held that this was proper; the confessions were put to the jury only tentatively, subject to its judgment and with instructions to ignore them if coerced. The Fourteenth Amendment does not enact a rigid exclusionary rule of evidence.

There was a special problem in regard to Wissner, who had not confessed, but was implicated by the two who did. He complained of his inability to cross-examine the accusing witnesses, that is to say, the confessors, but the Court held that the Fourteenth Amendment does not include a right of confrontation. Basically, his objection was that as to him the introduction of these confessions was hearsay, but Justice Jackson declared flatly that "the hearsay-evidence rule, with all its subtleties, anomalies and ramifications, will not be read into the Fourteenth Amendment." He said that the procedure for Wissner was not unconstitutional merely because the Justices might be able to think of a better one. He would not discredit constitutional doctrine to enable the guilty to escape through "mere technical loopholes." These men had had fair trial and fair review. "The people of the State are also entitled to due process of law."

Justices Black, Frankfurter, and Douglas filed vigorous dissenting opinions. Justice Black declared that the Court was giving up several constitutional safeguards: freedom from "arbitrary seizure, secret confinement and police bludgeoning to make him [i.e., the accused] testify against himself in absence of relative, friend or counsel"; "the right of an accused to confront and cross-examine witnesses who swear he is guilty of crime"; freedom from being held incommunicado by the police. Justice Frankfurter pointed out that while he respected the substantial autonomy of the states, he did not construe this deference to require abdication by the Court of its obligation to decide in a particular case whether a confession was voluntary. Whether the confession was coerced does not depend, he maintained, upon the strength of the other evidence. He believed that these confessions were the product of coercive police pressure. He thought the Court went too far in holding that even if a constitutional right had been denied, the defendant must also prove that the rest of the evidence would not have been sufficient to authorize the jury to find guilt. This, he declared, is "a retrogressive step in the administration of criminal justice," for it "affords new inducement to police and prosecutors to employ the third degree." Justice Douglas declared that we are now entering nothing less than "a new regime of constitutional law."

Among the various issues considered by the Court in the several cases dis-

posed of in *Brown v. Allen*,¹⁰⁰ a similar question about confessions was raised by defendant Brown, a Negro who had been convicted of rape and sentenced to death. In his case, timely objection had been made to the introduction of a confession, the jury was excused, and after a preliminary examination in which Brown and two policemen testified, the trial judge concluded that the confession was voluntary. While Brown did not take the stand at the trial, on cross-examination of the policemen the jury learned that Brown, an illiterate, was held for five days after arrest before being charged with a crime, that he was not given a preliminary hearing until eighteen days after arrest, that he had no counsel during the period of detention, and that the confession was taken before the preliminary hearing and appointment of counsel. There was no record of physical coercion or prolonged questioning. The Court held that the rule prevailing in the federal courts which forbids the admission of confessions obtained before prompt arraignment, even if voluntary, is not a constitutional requirement, but only a rule of evidence for the federal courts. Said Justice Reed: "Mere detention and police examination in private of one in official state custody do not render involuntary the statements or confessions made by the person so detained."

Fair Procedure. Smith pleaded "not guilty" to a murder charge on the advice of a lawyer who knew nothing about his case but who happened to be in the courtroom and was asked by the judge to help out in the arraignment. Under Pennsylvania law, by failing to plead "not guilty by reason of insanity," Smith lost his only chance of requiring that the question of insanity be tried by a jury at the outset. Some months later, state-appointed counsel changed the plea to "guilty" so that he would have more time to get out-of-state evidence at state expense to support a contention that Smith was insane. Smith had been committed previously to mental institutions. The Court held, by a 6-3 vote, that there was no denial of due process because the plea of guilty was allowed without a previous adjudication of the issue of insanity, since under the state law if evidence offered at the trial raises substantial doubts about the defendant's sanity, counsel is free to change the plea to "not guilty by reason of insanity."¹⁰¹ Thus, there was ample opportunity to rectify any error the first lawyer may have made. Furthermore, the Court held that the Constitution does not impose upon the state the duty of appointing a psychiatrist to make a pre-trial examination of sanity. It is sufficient if the issue of sanity was heard by the trial court.

In *Brown v. Allen*,¹⁰² the case of Daniels involved two Negro defendants who, after conviction, were granted sixty days by the trial judge in which to prepare and serve a statement of the case for appeal. Their counsel failed to serve this statement until sixty-one days had passed, whereupon the trial judge struck the appeal as out of time. This precluded an appeal as of right to the state's highest court. The Supreme Court held that the failure to make a timely

¹⁰⁰ 344 U.S. 443 (1953).

¹⁰¹ *U.S. ex rel. Smith v. Baldi*, 344 U.S. 561 (1953).

¹⁰² 344 U.S. 443 (1953).

appeal was like the failure to raise an objection to unconstitutional action before conviction. "We cannot say," Justice Reed declared, "that North Carolina's action in refusing review after failure to perfect the case on appeal violates the Federal Constitution. A period of limitation accords with our conception of proper procedure."

Double Jeopardy. It was established in the *Palko* case¹⁰³ that the Fifth Amendment prohibition of double jeopardy does not apply to the states. In *Brock v. North Carolina*¹⁰⁴ the question came up again. Brock and two accomplices were accused of assault with a deadly weapon. The accomplices were tried first and found guilty. Before judgments were entered, Brock was placed on trial. After three other witnesses had been offered by the prosecution, the state then put the accomplices on the stand. They refused to testify on the ground of self-incrimination, their counsel telling the court that if judgment on their convictions should be adverse, they would appeal to the state supreme court. The trial judge upheld their refusal to testify, whereupon the state told the court that the testimony of these two men was necessary for the case and moved for a mistrial. The court granted the motion on the ground that the ends of justice required their testimony. The state supreme court then affirmed the convictions of the accomplices, a second jury was impanelled for Brock, and over due process objections the accomplices testified and Brock was convicted. The state supreme court held that there was no double jeopardy because the trial court had the power to declare a mistrial in the interests of justice, in accordance with an old state common-law rule.

Six Justices held that the North Carolina procedure did not violate due process, leaning heavily on the *Palko* precedent. "This Court," said Justice Minton, "has long favored the rule of discretion in the trial judge to declare a mistrial and to require another panel to try the defendant if the ends of justice will be best served."¹⁰⁵ Depending upon the facts, justice for either party or both may indicate to a trial judge the wisdom of using his discretionary power of declaring a mistrial and ordering a new trial. No hard and fast due process rule is possible.

Chief Justice Vinson wrote a spirited dissenting opinion. "For the first time in the history of this Court," he asserted, "it is urged that a state could grant a mistrial in order that it might present a stronger case at some later trial and, in so doing, avoid a plea of former jeopardy in the second trial." What the Court's ruling means, he said, is that if the prosecutor thinks he cannot win a conviction from the jury on the testimony at the trial, he is free to stop the trial and insist that it be tried again when he has stronger testimony to offer. He asserted that, considering the needs of orderly justice, a defendant could not ask for a mistrial because the state had done well and the defense poorly. The same rule ought to apply to the prosecution. While he agreed that the technical as-

¹⁰³ *Palko v. Connecticut*, 302 U.S. 319 (1937).

¹⁰⁴ 344 U.S. 424 (1953).

¹⁰⁵ Justice Minton cited *Wade v. Hunter*, 336 U.S. 684 (1949) and *Thompson v. United States*, 155 U.S. 271 (1894).

pects of the doctrine of double jeopardy do not fall within the scope of due process, the basic idea does, and he noted that all but five state constitutions as well as the federal Constitution have clauses forbidding double jeopardy. In the five states without such constitutional clauses there are common law rules against it. Thus North Carolina is out of step with the nation. He insisted that the general rule is that a second trial will be allowed "only for extreme circumstances, often contributed to by the defendant and beyond the control of the prosecutor, which prevented the testimony from being available at the first trial."

Wiretapping. Finally, in *Schwartz v. State of Texas*¹⁰⁶ the Court ruled that Section 605 of the Federal Communications Act, which forbids wiretapping,¹⁰⁷ does not exclude evidence secured through wiretapping from a state criminal proceeding. It has been held that this statute renders inadmissible in a federal court communications intercepted in this fashion,¹⁰⁸ even though they were intrastate telephone calls.¹⁰⁹ But it does not follow, Justice Minton ruled, that such evidence is inadmissible in a state court. This accords with the holding in *Wolf v. Colorado*¹¹⁰ that evidence obtained by a state officer by means which would constitute an unlawful search and seizure under the Fourth Amendment is nonetheless admissible in a state court, even though the same evidence, if obtained by a federal officer, would be clearly inadmissible in a federal court.¹¹¹ This is also the uniform holding of state courts, and conforms with the pertinent Texas statute. The Court will not extend a federal statute by implication so as to invalidate the specific language of a state statute. "The exercise of federal supremacy is not lightly to be presumed." Nevertheless, Justice Minton pointed out that the fact that Texas legislated in this field is given due consideration, but is not controlling, and that the Court's decision would be the same if the Texas courts had pronounced this rule of evidence. Finally, since the holding was that Congress did not intend to impose a rule of evidence on the state courts, it was unnecessary to decide whether it has the power to do so. Justice Douglas dissented alone on the theory that wiretapping is a violation of the Fourth Amendment, and hence within the scope of the Texas statute which excludes evidence secured in violation of the federal Constitution. He argued that prior federal decisions which take a contrary view ought to be overruled.

2. EQUAL PROTECTION OF THE LAWS

Restrictive Covenants. In 1948 the Court held in the *Shelley* case¹¹² that racial restrictive covenants may not be enforced in equity by state courts against

¹⁰⁶ 344 U.S. 199 (1952). See Comment, "Admissibility in a State Court of Evidence Obtained by Wire-Tapping," *Missouri Law Review*, Vol. 18, pp. 185-91 (April, 1953).

¹⁰⁷ " . . . No person not being authorized by the sender shall intercept any communication and divulge or publish the existence, contents, substance, purport, effect, or meaning of such intercepted communication to any person. . . . "

¹⁰⁸ *Nardone v. United States*, 302 U.S. 379 (1937).

¹⁰⁹ *Weiss v. United States*, 308 U.S. 321 (1939).

¹¹⁰ 338 U.S. 25 (1949).

¹¹¹ *Weeks v. United States*, 232 U.S. 383 (1914).

¹¹² *Shelley v. Kraemer*, 334 U.S. 1 (1948).

Negro purchasers, because that would be state action in violation of the equal protection guarantee of the Fourteenth Amendment. In *Barrows v. Jackson*¹¹³ the Court went a step further to rule, by a 6-1 vote, that a state court may not, for the same reason, entertain a suit at law for damages for breach of a restrictive covenant brought by one "Caucasian" against another. Otherwise, said Justice Minton, the state would be encouraging the use of restrictive covenants. If a property owner may be sued for failure to carry out such a covenant, he is in effect coerced to continue to use his property in a discriminatory manner. Thus it becomes the state's choice that he observe the covenant or suffer damages. The result is that non-Caucasians are unable to buy, own, and enjoy property on the same terms as white people.

The technical question which Chief Justice Vinson stressed in his dissent related to the standing of the defendant, who was not a Negro, to raise the equal protection issue. The general rule is that a party cannot challenge the constitutionality of a statute unless he can show that he is within the class whose rights are being infringed.¹¹⁴ But here, said Justice Minton, is "a unique situation in which it is the action of the state court which might result in a denial of constitutional rights and in which it would be difficult if not impossible for the persons whose rights are asserted to present their grievance before any court." Thus, under the peculiar circumstances of this case, and because of the close relationship between the restrictive covenant and the sanction of the state court, the usual rule on standing, which is only a rule of practice, must give way to the need to protect fundamental rights which would otherwise be denied. And the defendant asserts not the rights of non-Caucasians as a group, but those particular non-Caucasians who are would-be users of restricted land. The Chief Justice insisted that no Negro would be injured if the defendant were required to pay damages for breaching a promise voluntarily made, and that the decisive fact even on the merits was that no identifiable non-Caucasian was before the Court who had been denied any right. In his opinion the defendant was acting as the self-appointed agent of an "anonymous, amorphous class," and not in defense of his own rights.

School Segregation. After full argument of five cases in which the Court was asked to rule on the constitutionality of segregation in the public schools of four states and the District of Columbia, the Court on June 8, 1953, restored them to the docket and assigned them for reargument in the following term.¹¹⁵ The

¹¹³ 346 U.S. 249 (1953). The case came up from California, which had ruled that the suit was forbidden by the *Shelley* case. The Supreme Court of Michigan and the District Court of the District of Columbia had taken the same position. The Supreme Courts of Missouri and Oklahoma had ruled the other way.

¹¹⁴ See Note, "'Standing' to Attack the Constitutionality of a Statute," *New York University Law Review*, Vol. 27, pp. 656-70 (Oct., 1952).

¹¹⁵ *Brown v. Board of Education of Topeka*, 345 U.S. 972 (1953). See: John P. Frank, "Can Courts Erase the Color Line?," *Buffalo Law Review*, Vol. 2, pp. 28-44 (Winter, 1952); Will Maslow and Joseph B. Robison, "Civil Rights Legislation and the Fight for Equality, 1862-1952," *University of Chicago Law Review*, Vol. 20, pp. 363-413 (Spring, 1953); Wilfred C. Leland, Jr., "We Believe in Employment on Merit, But . . .," *Minnesota Law Review*, Vol. 37, pp. 246-67 (March, 1953).

cases, which aroused enormous public interest, were reargued December 7-9, 1953. The Court asked counsel to discuss the understanding of the framers and ratifiers of the Fourteenth Amendment in regard to public school segregation, and raised a number of questions about the sort of decree it should or could write.

Jury Discrimination. In *Avery v. Georgia*¹¹⁶ the Court unanimously held unconstitutional a jury selection system used in Fulton County, Georgia, in which the names of white persons selected for jury panels were printed on white tickets and the names of Negroes on yellow tickets. The Chief Justice said that obviously the use of white and yellow tickets makes it easier for those to discriminate who wish to do so. Justice Frankfurter remarked in a concurring opinion that these slips could serve no other purpose but discrimination. The practice in question was not authorized by Georgia statutes, and even the state supreme court declared that the use of separately colored tickets was "prima facie evidence of discrimination." Since no Negro was drawn to serve in a panel of sixty names in this case, a prima facie case of discrimination was established. It is not necessary, as the state court had ruled, for the appellant to prove some particular act of discrimination by a specific official. On the contrary, the state must dispel the prima facie case of discrimination with sufficient evidence. This Georgia failed to do.

In *Brown v. Allen*,¹¹⁷ defendants Brown and Speller, who had been convicted in North Carolina courts, both raised questions of discrimination in the selection of juries. Brown's principal argument was that, in the proportional sense, fewer Negroes than whites served on the juries of Forsyth County. Jury names are taken from taxpayers' lists, and Negroes number about 16 per cent of the listed taxpayers. The local officials swore that the names of all taxpayers are put in the box, and that the selection is made in public by lot, with the drawings by a small child. Of the 37 persons summoned for the petit jury in Brown's case, eight were Negroes, and there were three Negroes in a special venire of twenty. Peremptory challenges or challenges for cause eliminated all the Negroes. Uncontradicted state evidence showed that in 1949 and 1950 from seven to ten per cent of the persons drawn for grand jury panels were Negroes, and that in 1950 from nine to seventeen per cent of those drawn for petit juries were Negroes. The Court held that to make a showing of violation of equal protection, there must be proof of discrimination on racial grounds. Variations in proportions of Negroes and whites on jury lists from the racial proportions of the population are not necessarily such proof. The taxpayer lists included all men who paid property or poll taxes, and *all* men between 21 and 50 are required to list both. While the Court recognized that taxpayer lists have a higher proportion of whites, due to inequality of educational and economic opportunities, it refused to invalidate this procedure. Justice Reed stated that it was not the Court's duty to impose on the state its conception of the proper source of jury lists, "so long as the source reasonably reflects a cross-section of the population suit-

¹¹⁶ 345 U.S. 559 (1953).

¹¹⁷ 344 U.S. 443 (1953).

able in character and intelligence" for this civic duty. "Short of an annual census or required population registration, these tax lists offer the most comprehensive source of available names." Justice Black, dissenting, argued that in view of the fact that about one-third of the population of Forsyth County was Negro, the number of Negro jurors was glaringly disproportionate, and must have been due to design.

As for Speller, the evidence established that no Negro had ever served on a jury in Vance County before his case. But North Carolina revised its jury law in 1947, and in the special venire there were 145 Negroes out of a total of 2,126 names. The Court ruled that the long history of discrimination against Negroes in the county was not decisive of discrimination in Speller's case, since "former errors cannot invalidate future trials." An additional point was that the clerk of the jury commissioners chose for the panel those on the tax lists who had "the most property," although he testified that racial discrimination did not enter into his selection. The Court held that this issue, not having been raised before, was not open for consideration. Finally it was noted that while 38 per cent of the people on the Vance County tax lists were Negroes, only 7 per cent in the jury box were Negroes. The Court ruled that this could be explained by the economic factor, that the lower courts had all agreed on the absence of racial discrimination, and that the small number of Negro names in the jury box was not in itself evidence of racial discrimination. Justice Black argued that with Negroes constituting 45 per cent of the county's population and 38 per cent of its taxpayers, the small number of Negroes in the jury box could be explained only on the ground of discrimination.

3. THE RIGHT TO VOTE

In 1944, in the last of a series of white primary cases, the Court held that even where Negroes were excluded by the rules of the Democratic party of Texas from voting in the party primaries, the right to vote guaranteed by the Fifteenth Amendment was denied, because the party activities were subject to so much state control that the party was in effect an agency of the state.¹¹⁸ Since then, several variations on this theme have appeared in the federal courts. South Carolina's attempt to circumvent this rule by the expedient of repealing all statutes on the subject of political parties, thus hoping to convert them into mere private clubs, and as such outside the scope of the Amendment, was rebuffed.¹¹⁹ Alabama tried its luck with its "Boswell Amendment," which denied registration to all who could not "understand and explain" any article of the Constitution, and this was nullified as conferring an arbitrary power on the board of registrars, since the standard was vague, uncertain, and indefinite.¹²⁰

¹¹⁸ *Smith v. Allwright*, 321 U.S. 649 (1944).

¹¹⁹ *Rice v. Elmore*, 165 F. 2d 387 (4th Cir. 1947), certiorari denied, 333 U.S. 875 (1948); *Baskin v. Brown*, 174 F. 2d 391 (4th Cir. 1949).

¹²⁰ *Davis v. Schnell*, 81 F. Supp. 872 (S. D. Ala. 1949), affirmed, *per curiam*, without opinion and without argument, 336 U.S. 933 (1949).

Another wrinkle appeared in *Terry v. Adams*.¹²¹ Here a Texas county sought to disenfranchise Negroes through the expedient of a preprimary primary from which Negroes were barred. All white people on the official list of county voters were automatically members of the Jaybird Democratic Association. Claiming to be a self-governing voluntary club, it ran preprimary primaries, meeting expenses by assessing the candidates. Since 1889, every county-wide official elected to office had first won endorsement in the Jaybird primary. Usually the winners of the Jaybird primary are the only candidates in the Democratic primaries and general elections that follow.

With only Justice Minton dissenting, on the ground that no state action was involved, the Court held that the Jaybird contrivance violated the Constitution, but no single theory was agreed upon. In an opinion joined by Justices Douglas and Burton, Justice Black declared that the Fifteenth Amendment clearly extends to "any election in which public issues are decided or public officials selected," although he conceded that it does not apply to social or business clubs. He noted that the very same standards or qualifications prescribed by Texas for voters were adopted as the only qualifications for Jaybird primaries, except for the racial ban. "The Jaybird Party thus brings into being and holds precisely the kind of election that the Fifteenth Amendment seeks to prevent." Here the state violates the Amendment by permitting this circumvention that produces the equivalent of the prohibited election, the only election that matters in this county. The Jaybird primary has become, he declared, an integral part of the elective process, indeed, its only effective part.

In a separate concurring opinion Justice Frankfurter recognized that the difficulty in this case was whether there had been state action. He advanced the theory that assuming Jaybird not to be a party (a matter for Texas to decide) there was state action because the electoral officials of the county shared in the subversion of the Texas primaries law by participating in the scheme. Therefore, he argued, the remedy was not to require Negro participation but to bar the whole business directly. The weakness of this theory was the lack of any direct evidence that local election officials did have a hand in Jaybird's affairs. Furthermore, not everything done by a person who is an official is done officially.

Justice Clark filed an opinion in which the Chief Justice and Justices Reed and Jackson joined. He maintained that Jaybird was a political party falling within the ban of the Fifteenth Amendment because it operated "as part and parcel of the Democratic Party." Both have the same qualifications for membership; the preprimary in May of each election year is linked with the official Democratic primary in July; the Jaybird winner always wins in the Democratic primary. Since Jaybird is "the decisive power in the county's recognized electoral process," it nullifies the Negro's vote at the only stage in the local political process where it might matter. The political organization which controls the

¹²¹ 345 U.S. 461 (1953). See Cortez A. M. Ewing, *Primary Elections in the South* (Norman, Oklahoma, 1953).

choice of public officials is an agency of government within the meaning of the constitution.

While this decision protects the Negro's right to vote and continues a series of decisions bearing upon this point, its chief impact upon the pattern of constitutional law may well be the expanded definition of state action. No single theory was agreed upon, but the holding that the Jaybird preprimary primary was state action does seem to enlarge the area in which federal review of local activity may be expected.

4. STATE POWER AND THE COMMERCE CLAUSE

Regulation. The question of the scope of state authority over interstate commerce still evokes sharp divisions of opinion. A state regulatory scheme was approved by the Court in *Lloyd A. Fry Roofing Company v. Wood*,¹²² but only by a 5-4 vote. The Company manufactures asphalt roofing products in Memphis, Tennessee, and sends them in trucks to customers in nearby states. Some of these trucks, the Company alleges, are merely leased to it, and are driven by their owners. Five of these driver-owners, while carrying the Company's interstate shipments on Arkansas highways, were arrested for having failed to obtain permits as required of all contract-carriers by the Arkansas Motor Act. The State Supreme Court found that the truck drivers were not the Company's employees, that the lease arrangements were shams, and that the Company was therefore a shipper and not a carrier of any kind. It held that the driver-owners were in reality transporting the Company's goods as "contract carriers," for which a state permit was necessary.

Speaking for the majority, Justice Black made it clear that under the rule of *Buck v. Kuykendall*,¹²³ it would be a violation of the Commerce Clause for a state to deny interstate contract carriers permits because of the adequacy of other transportation services. But here Arkansas asks these driver-owners to do nothing except apply for permits as contract carriers. The state commission expressly disclaims any discretionary right to refuse to grant a permit. The state merely requires registration in the belief that identification is essential for the proper enforcement of the state's valid police, welfare, and safety regulations. There is no showing that the commission has attempted or will attempt to attach any burdensome conditions to the grant of a permit, in any manner conflicting with the federal Motor Carrier Act or any ICC regulation thereunder. Justice Black concluded that the mere requirement of such a permit does not impose an "undue burden" on interstate commerce. "At present we hold only that Arkansas is not powerless to require interstate motor carriers to identify themselves as users of that state's highways."

For the minority, Justice Douglas argued that it was immaterial whether these driver-owners were contract or private carriers, and that, in the light of the conditions that had to be met, what Arkansas in effect demanded was that they should secure state certificates of public convenience and necessity, and

¹²² 344 U.S. 157 (1952).

¹²³ 267 U.S. 307 (1925).

not mere permits. He agreed that states may regulate interstate commerce in the interest of safety, exact fees for highway maintenance, or require permits for intrastate business, but argued that the right to engage in interstate commerce cannot be made to depend upon state permission. Furthermore, he maintained that Congress had preempted the whole field.

Taxation. There were two cases during the Term dealing with the impact of state taxation upon interstate commerce. In *Bode v. Barrett*¹²⁴ the question was whether interstate carriers also doing an intrastate business could be required to pay an Illinois tax for the use of the public highways measured entirely by the gross weight of the vehicle. Noting that each of the interstate carriers carried on an intrastate business as well, and that it is clearly within the police power of Illinois to exact a tax for the privilege of using state highways, the Court concluded that the protesting carriers failed to carry the burden of proving that the tax bore no reasonable relation to the use they made of the highways in their local operations. Due process issues, such as the objection that private carriers were taxed at the same rate as carriers for hire, were dismissed as "without substance" or "frivolous." Justice Frankfurter, who filed a dissenting opinion in which Justice Jackson concurred, construed the majority decision to be that where the two types of commerce are commingled, the plaintiff has no standing to sue. He protested that the Court had given consideration to about 100 state taxation or regulation cases in which interstate and intrastate commerce were commingled. "Can it be," he asked, "that all our predecessors bothered their heads needlessly?"

The other decision, *Chicago v. Willett Company*,¹²⁵ upheld a Chicago ordinance which levied a tax on trucks graduated according to size, as applied to an Illinois corporation with its place of business in Chicago which operated trucks transporting goods within the city, between the city and other points in Illinois, and between Chicago and points in neighboring states. It was stipulated that every day of the year the Company's trucks carry along with property which never leaves the city property destined for some point outside the state. The Supreme Court held that the case was within the "home port" theory of the *Northwest Airlines* decision.¹²⁶ The state supreme court had ruled that the ordinance did not impose a tax on trucks which do not carry goods within the city. Justice Frankfurter declared that the Company had made no attempt to show that the tax in fact burdened interstate commerce, though this is for the taxpayer to show affirmatively. The "home port" theory, he said, "fits a fleet of trucks at least as well as it does a fleet of airliners." The "central and decisive fact" is that the Company's business has a home in Chicago, and that its business revolves around the city, from which it continuously receives protection and the benefit of public services. Therefore a tax "of reasonable propor-

¹²⁴ 344 U.S. 583 (1953). See Note, "State Taxation of Vehicles Moving Interstate," *Indiana Law Journal*, Vol. 28, pp. 212-30 (Winter, 1953).

¹²⁵ 344 U.S. 574 (1953).

¹²⁶ *Northwest Airlines, Inc. v. Minnesota*, 322 U.S. 292 (1944). Also relied upon was *People ex rel. N.Y. Central & H.R.R. Co. v. Miller*, 202 U.S. 584 (1906).

tions" not shown in fact to be a burden on interstate commerce is valid. The novelty of this analysis is that the "home port" doctrine, heretofore applied only in connection with property taxes, is now extended to franchise taxes.

Justices Reed and Vinson, concurring separately, argued that the tax in question was strictly an occupational tax for carrying goods within the city. They disagreed with the majority's holding that the tax is valid merely because the taxpayer is an Illinois corporation with its business home in Chicago. "The corporation is taxable," they said, "because it does intrastate business on the streets of Chicago." For obviously, they insisted, the charge is for the use of the highways of Chicago. Dissenting alone, Justice Douglas maintained that since this was an occupation tax, it cannot be exacted for the privilege of engaging in interstate commerce. Since there was a flat fee per truck, and the Company cannot segregate its interstate business, he reasoned that by increasing the number of trucks in operation the interstate business increased the amount of the tax.

5. INTERGOVERNMENTAL RELATIONS

Intergovernmental Taxation. There were three cases during the Term testing the validity of state taxes which impinged in some fashion upon federal instrumentalities. During World War II, there being a shortage of storage facilities, the government contracted with Esso Standard Oil for the storage of government-owned fuel, the company receiving a service charge, and the United States agreeing to assume liability of all state taxes. The Court held that under these circumstances Tennessee could collect from Esso a six-cent tax on the privilege of storing gasoline.¹²⁷ Justice Reed ruled that this tax was imposed because Esso exercised the privilege of storing gasoline, and was not "on" the government property.¹²⁸ The fact that a financial burden upon the United States may result has not been regarded as a fatal flaw since the *Dravo* case.¹²⁹ Corporations and individuals contracting with the United States do not share in the sovereign's exemption from state taxation merely because their activities are useful to the government. Three members of the Court dissented without opinion.

Another claim of immunity from local taxation was rejected in *Howard v. Commissioners of Louisville*.¹³⁰ In 1940 the United States acquired by condemnation, with the consent of the Kentucky legislature, the land on which a naval ordnance plant was located. By ordinances adopted in 1947 and 1950 the City of Louisville annexed the plant tract, and this was not challenged by the United States. The Court held that it was permissible for the City to collect from the employees of the plant a license tax for the privilege of working in the city,

¹²⁷ *Esso Standard Oil v. Evans*, 345 U.S. 495 (1953).

¹²⁸ *United States v. Allegheny County*, 322 U.S. 174 (1944) was distinguished on the ground that there the state applied an ad valorem property tax to government-owned machinery leased to a private company; thus the value of the federal property was in part the measure of the tax.

¹²⁹ *James v. Dravo Contracting Co.*, 302 U.S. 134 (1937).

¹³⁰ 344 U.S. 624 (1953).

measured by one per cent of all salaries or wages earned therein. Justice Minton reasoned that the land in question did not cease to be a part of Kentucky, and that "a change of municipal boundaries did not interfere in the least with the jurisdiction of the United States within the area or with its use or disposition of the property." The Court also ruled that the Buck Act granted the right to tax income paid to employees of the government working in the plant. This statute defined an "income tax" as "any tax levied on, with respect to, or measured by, net income, gross income, or gross receipts." It is true that the Kentucky Court of Appeals had previously ruled that the sort of license tax at issue here was not under Kentucky law an income tax. But the right to tax in this area, it was pointed out, was not given in accordance with the view of Kentucky law as to what is an income tax, but rather within the definition of the federal statute. Justices Douglas and Black, who dissented, thought this was not an income tax within the meaning of the Buck Act, but was by its terms a "license fee" levied on the "privilege" of engaging in certain activities. They asserted that "the Congress has not yet granted local authorities the right to tax the privilege of working for or doing business with the United States."

The taxpayer did win, however, in *Dameron v. Brodhead*.¹³¹ Dameron, an officer in the U.S. Air Force, and a citizen and resident of Louisiana, was assigned to Lowry Field in 1948, and resided throughout the year in a rented apartment in Denver. The Court ruled that the application of a local personal property tax to his household goods was barred by Section 514 of the Soldiers' and Sailors' Relief Act of 1942. This section provides that so far as local taxation is concerned "such person shall not be deemed to have lost a residence or domicile in any State . . . solely by reason of being absent therefrom in compliance with military or naval orders. . . ." A 1944 amendment provides that "personal property shall not be deemed to be located or present in or to have a situs for taxation in such State . . ." In the light of the grant to Congress of the war power and the power to maintain armies, the Court had no doubt about the constitutionality of a statute exempting servicemen from substantial burdens of local taxation. It was regarded as immaterial that Dameron was not a business contractor, for he was none the less engaged in a function of the federal government. Justices Douglas and Black disagreed, arguing from the premise that "the power to tax is basic to the sovereignty of the states." Justice Douglas seems to have some special fondness for the term "state sovereignty." He maintained that while the power of Congress to withhold tax immunity is clear, its power to create tax immunities has been narrowly confined, and he declared: "Up to the present the Court has never held that the *private* affairs of a federal employee can be made *public* affairs by Congress and immune from state taxation." He thought that in his private capacity a federal employee is no different from any other citizen. He enjoys the benefits of local government and ought to be required to pay his share. He could not see how Denver's tax burdens the performance of any federal function.

¹³¹ 345 U.S. 322 (1953).

Priority of Tax Liens. Both the federal government and the Town of Walpole, New Hampshire, had claims, arising from tax liens, to a fund in the hands of a state court receiver of the assets of a corporation that was declared insolvent in 1949. The Town's lien grew out of an assessment of an ad valorem tax on machinery for 1947 and 1948. The federal lien was for employment, withholding, and income taxes that became due between 1943 and 1948. Under Section 3672 of the Internal Revenue Code, a federal lien is not valid as against a "judgment creditor" until notice thereof has been filed by the collector in the office of the federal district court. The New Hampshire court ruled that under state law an ad valorem tax assessment is in the nature of a judgment, and that therefore the Town was a judgment creditor within the meaning of the federal law. Since the federal notice of lien was not filed until after the Town's taxes were assessed, the state court held that the federal lien was not valid as against the Town's. The Supreme Court reversed, holding that while the state is free to interpret the nature of its own tax proceedings as it wishes, the meaning of a federal statute is for it to decide.¹³² Justice Minton reasoned that a cardinal purpose of Congress in its tax legislation is uniformity, and therefore the term "judgment creditor" should have the same meaning in all the states. He thought Congress intended to use the term "in the usual, conventional sense of a judgment of a court of record, since all states have such courts." He did not believe Congress had in mind the action of taxing authorities who may act judicially, as in New Hampshire and some other states. Justices Frankfurter and Reed dissented, contending that the statute does not require that the same procedure be followed in every state, and that it refers to state law.

Full Faith and Credit. The Justices were sharply divided over the full faith and credit problem presented in *May v. Anderson*.¹³³ The issue was whether in a habeas corpus proceeding attacking the right of a mother to retain possession of her minor children, an Ohio court must give full faith and credit to a Wisconsin decree awarding custody of the children to their father, when that decree was obtained by the father in an *ex parte* divorce action in a Wisconsin court which had no personal jurisdiction over the mother. Five Justices gave a negative answer to this question. The facts were as follows: The parties were married in Wisconsin and lived there until marital troubles developed in 1947. It was agreed that the mother, Leona May, should take the children to Lisbon, Ohio, to think things over. She then decided not to return to Wisconsin and so informed her husband Anderson, who then filed suit in Wisconsin, asking for an absolute divorce and custody of the children. The only service of process on May was delivery to her personally in Ohio of a copy of the Wisconsin summons and petition, in conformity with the Wisconsin statutes. May entered no appearance and took no part in the Wisconsin proceeding. This proceeding produced not only a divorce decree, but also an award of custody of the children to the father. Armed with a copy of this decree, Anderson demanded and obtained the children from the mother in Ohio and brought them back to Wiscon-

¹³² *United States v. Gilbert Associates*, 345 U.S. 361 (1953).

¹³³ 345 U.S. 528 (1953).

sin. In July, 1951, Anderson took the children to Lisbon to visit their mother, and this time she refused to surrender them. Anderson thereupon filed a petition for habeas corpus in an Ohio court, which took the position that it was obliged by the Full Faith and Credit Clause to accept the Wisconsin decree as binding upon the mother.

Justice Burton ruled that it was well settled that the Full Faith and Credit Clause and the act of Congress on the subject do not entitle a judgment *in personam* to extraterritorial effect if it is made to appear that it was rendered without jurisdiction over the person sought to be bound. He said that it was unnecessary to determine the legal domicile of the children at the time of the custody decree, because even if it was with the father, that did not give Wisconsin, as against Ohio, the personal jurisdiction that it must have in order to deprive the mother of her personal right to their immediate possession. In other words, where the defendant in a divorce action is a nonresident and does not appear, and process is had only by substituted service, the court determines only the status of the parties, and not other questions. A mother's right to custody of her children is a personal right entitled to at least as much protection as her right to alimony.

Justice Frankfurter filed a concurring opinion to explain that all the Court is deciding is that the Full Faith and Credit Clause does not require Ohio, in disposing of the custody of the children in Ohio, to accept, under these circumstances, the disposition made by Wisconsin. But it is not decided that Ohio would be precluded from recognizing, as a matter of local law, the disposition made by the Wisconsin court. Nor would it offend due process for Ohio to do so. He said that the decision in this case is based on the fact that the child's welfare in a custody case has such a claim upon the state that its responsibility is obviously not to be foreclosed by a prior adjudication reflecting another state's discharge of its responsibility at another time.

Justice Minton dissented briefly to make the point that since the Wisconsin decree had been unappealed, and was valid on its face, and the mother had failed to challenge it by any pleading, the decree is entitled to full faith and credit in Ohio. Justice Jackson dissented at great length in an opinion in which Justice Reed joined. He insisted that if Wisconsin has rendered a valid judgment the Constitution requires every state to give it full faith and credit. He lamented that in recent years the Court has been "chipping away" at the concept of domicile. He agreed that we are a mobile people, "but if our federal system is to maintain separate legal communities, as the Full Faith and Credit Clause evidently contemplates, there must be some test for determining to which of these a person belongs," and no better test is available than that of domicile. He asserted that the decision of the Court comes to this, that the Wisconsin courts cannot bind the mother, and the Ohio courts cannot bind the father. Under these circumstances, possession becomes the whole of the law, and self-help the ultimate authority. He agreed that the Wisconsin courts never obtained jurisdiction over the person of the wife, who decamped, but there was jurisdiction based on the domicile of the husband and the children.

He believed the jurisdictional requirements for both divorce and custody were similar. He thought the Court was equating the jurisdictional requirements for a custody decree with those for an *in personam* money judgment, without assigning reasons, except for the remark that the wife's rights here were far more precious than property. "The force of this cardiac consideration is self-evident," he remarked, "but it seems to me to reflect a misapprehension as to the nature of a custody proceeding. . . ."

The Court was also divided 5-3 in *Wells v. Simonds Abrasive Company*,¹³⁴ in which an action for a wrongful death which had occurred in Alabama was brought in a federal district court in Pennsylvania more than one year but less than two years after the accident happened. The suit was based on a section of the Alabama code which provided that a suit for wrongful death must be brought within two years after the death. The trial court ordered summary judgment for the defendant, taking the position that the Pennsylvania statute, with a one-year limitation, was controlling, because the Pennsylvania conflict of laws rule called for the application of its own statute of limitations rather than that of the place of the accident. The Supreme Court affirmed, holding that the Pennsylvania conflicts rule did not violate the Full Faith and Credit Clause. This Clause, said the Chief Justice, does not compel the forum state to adopt any particular set of rules on the subject of conflict of laws. The rule that the limitations of the forum state apply is the usual conflicts rule of the states. It is true that some states have taken the position that where a foreign statutory right unknown to the common law has a period of limitation in the section creating the right, the limitation is regarded as so intimately connected with the right that it must be enforced in the forum state along with the substantive right. But this is not required of the states by the Full Faith and Credit Clause. Justice Jackson wrote the dissenting opinion, arguing that the remedy is inseparable from the right. He feared that the Court's decision would open the door to shopping for a favorable forum, since under it a party who may get a change of venue may also get a change of law as a bonus. In his view, the plaintiff should take her Alabama rights with her wherever she elects to sue.

¹³⁴ 345 U.S. 514 (1953).

THE PRESIDENT'S ECONOMIC STAFF DURING THE TRUMAN ADMINISTRATION

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When the Council of Economic Advisers opened its doors in late 1946, many regarded the fledgling agency as a contingent of depression doctors armed with a "watered down" version of the Full Employment Bill. Instead, during the Truman era, the Council became, in the words of its second chairman, "an overall general economic advisory staff"¹ generally concerned with major problems affecting the growth and stability of the American economy, including its adaptability to the special demands of international stress. Actually the "transition" of the agency to this broader role was more apparent than real, since the Employment Act itself clearly contained a charter for a general economic staff function if the new staff and its principal chose development in that direction. In the wartime deliberations which led up to the Act, the Congress was concerned not only to prevent a postwar depression but also to improve the integration of the whole economic policy formation process.² And, in the final version of the Act, after making a very general policy declaration,³ the Congress decided, instead of drafting specific substantive solutions which would prejudice

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¹ Testimony of Leon H. Keyserling in the Senate Appropriations Subcommittee *Hearings on the Independent Offices Appropriation Bill for 1952*, 82nd Cong., 1st sess., p. 90.

² The immediate legislative ancestors of the Employment Act included a number of statutes (the most important of which was the one setting up the Office of War Mobilization and Reconversion) dealing with the problem of coordinating the diverse economic activities of the federal government. This concern persisted during the consideration of the Employment Act and helps to account for the use of the term "coordinate" in the Act's declaration of policy. In earlier versions of the Bill, moreover, specific mention was made of the objective of preventing inflation as well as depressions. While in the final version specific mention of the anti-inflation objective was eliminated, the language of the statute still assigns to the Council the responsibility of recommending policies "to avoid economic fluctuations or to diminish the effects thereof. . . ."

³ *Public Law 304*, 79th Cong., Sec. 2: "The Congress hereby declares that it is the continuing policy and responsibility of the Federal Government to use all practicable means consistent with its needs and obligations and other essential considerations of national policy, with the assistance and cooperation of industry, agriculture, labor, and State and local governments, to coordinate and utilize all its plans, functions, and resources for the purpose of creating and maintaining, in a manner calculated to foster and promote free competitive enterprise and the general welfare, conditions under which there will be afforded useful employment opportunities, including self-employment for those able, willing, and seeking to work, and to promote maximum employment, production, and purchasing power."

the source and nature of future economic problems, to establish procedural machinery to facilitate the intelligent diagnosis and solution of such problems when they did subsequently arise.⁴

The Council of Economic Advisers was part of that machinery. In assisting and advising the President in the preparation of his Economic Reports to Congress, and in otherwise advising him, the Council was not only to gather "timely and authoritative information" on current economic trends and analyze "foreseeable" developments; it was also to project target levels of national employment, production, and purchasing power. It was to review the current programs of the federal government and to make specific policy recommendations for administrative and legislative action.⁵ Thus the new staff's general mission was spelled out. But, except for the very broad stipulation that it relate to the economy's general levels of production, employment, and purchasing power, its subject-matter scope was left flexible.

In the later years of the Truman Administration the extent of that flexibility was increasingly evident. In the first months after the Korean outbreak, the Council performed an expanding role in the defense program, participating in an advisory capacity in the work of the National Security Council,⁶ taking a considerable hand in the initial formulation of mobilization—and particularly stabilization—policies, and maintaining a close working contact with the Defense Production Act agencies⁷ during the earlier stages of their work. It is noteworthy that this considerable subject-matter shift was accomplished without

⁴ For emphasis on the policy-coordinating purpose of the Employment Act machinery and on the primarily procedural character of the Act's prescriptions, see President Truman's final Economic Report (Jan., 1953).

⁵ Secs. 3(a) and 4(c) of the Act.

⁶ This work had been started, at the President's direction, in April, 1950 shortly before the start of the Korean action.

⁷ In its extensive work with the defense agencies, both at Council and staff levels, the Council followed the directive of Sec. 803 of Executive Order 10161 (Sept. 9, 1950) implementing the Defense Production Act of 1950: "The Council of Economic Advisers shall adapt its continuing studies of employment, production and purchasing power needs and objectives so as to furnish guides to the agencies under this Executive Order in promoting balance between defense and civilian needs and in avoiding inflation in a stable and growing economy. In the performance of this function, the Council shall obtain necessary information from the agencies concerned and engage in regular consultation with them."

In the Senate Appropriation hearings for the fiscal year 1952, Mr. Keyserling illustrated the Council's relations with the defense agencies this way:

"First, take Mr. Wilson's organization. Very shortly after he came down I had a talk with him. It was manifest that, with the wide range of responsibilities that he has got, he would need economic servicing. I said to him, 'What is the need of you having an economic staff when you work for the President and the Council is a general economic staff servicing the President? Can't we help you?'"

"And he said 'Yes.' Two things followed from that. I was put on his executive committee where he meets with his top executive mobilization officials, and time and again he has turned to us for the performance of general economic functions in connection with his work." *Hearings* (cited in note 1), pp. 90-91. The reference is to Mr. C. E. Wilson, Defense Mobilizer from December, 1950 to April, 1951.

any sudden dislocation of the agency's work programs or any "defense expansion" of its staff. By the end, roughly, of the first year after Korea the partial mobilization program was thoroughly institutionalized, and the Council's participation in and influence upon it had declined. By the end of another year it was devoting the bulk of its energies to looking beyond the build-up phase of the program toward the period of economic readjustment which would follow. In its July, 1952 and January, 1953 Economic Reviews it was, as it should have been, the first government agency to give sustained public attention to these "transition" problems.

The end of the Truman phase of the Council's life is a good time for a fresh look at the Council in political-administrative terms. While the present pages suffer from the nearsightedness of an inside vantage point, it is hoped that they may at least contribute raw material for the reappraisal which is needed.

I. THE SCOPE AND CHARACTER OF THE ECONOMIC STAFF FUNCTION

The President, the Council, and the Profession. The Council of Economic Advisers was explicitly constituted as a staff arm to the President. There is no basis for confusion about its reporting responsibility or for the lingering impression that it was supposed somehow to stand "half way between" the President and the Congress.⁸ The persistence of the idea that the Council should be an "economic Supreme Court" for the most part reflects concern over possible conflict between the Council's reporting or staff responsibilities and its responsibilities to its own professional standards of economic analysis. In a sense there is nothing new about this problem of professional integrity. Any professional person in any kind of salaried employment faces it to some degree. However, there are factors which have legitimately highlighted the issue in the case of the Council. The Employment Act marked the first instance where a particular species of knowledge and ability had been given separate agency status within the President's staff.⁹ And more important, economics is a profession in which the boundaries of expertise are not, and probably never will be, clearly drawn. The argument that the Council is likely to soil "economic science" with "politics" often is simply a rationalization for those who dislike the policies of the Administration of which the Council is a part. But the professional integrity question has been seriously raised also by members of the economics profession,

⁸ The legislative committees which framed the Act specifically rejected proposals for a joint legislative-executive commission and for something on the model of the independent regulatory commission, reasoning that the new Act should make the constitutional division of powers work more smoothly, not blur it. It should be noted, however, that, as discussed below, there are important questions concerning the relations of the Council as a staff arm of the President with Congress.

⁹ Contrary to the impressions of some, the statute itself does not require that members of the Council be professional economists in the strict sense of the term. The qualifications are that "as a result of . . . training, experience, and attainments," they be "exceptionally qualified to analyze and interpret economic developments, to appraise programs and activities of the government . . . and to formulate and recommend national economic policy. . . ."

and it obviously was in the minds of some members of Congress when a three-man Council was established rather than a single-headed agency. There must, therefore, be a relatively congenial marriage between the Council's professional responsibilities and its reporting—or, as the idea sometimes gets translated, its political—responsibilities to the President, if the agency is to perform a coherent staff function.

The Council can never afford to lose sight of its responsibility—not only to professional standards *but also to the President*—for competence and integrity in its collection, organization, and interpretation of factual data. There is little use in a staff assistant who tries to make the facts tell the story that he thinks the boss wants to hear. The Council's legislatively prescribed duties, however, carry it beyond the limits of "economic science." Besides doing factual analysis, it must also appraise the desirability of current public programs and recommend new ones, and here "science" must be coupled with normative judgments. If the policy advice which the Council turns out is to constitute useful presidential staff work, the weights which it places on various values obviously must be in general accord with those assigned by the Administration of which it is a part.

Furthermore, even within a given framework of values and objectives, scientific analysis seldom narrows alternative policy courses down to as specific a content as that which the Council often must give to its advice. From a professional viewpoint, then, there is almost always plenty of room for small differences over policy decisions. In the case of wide and important differences stemming from fundamental disagreements over values, or from what the Council sees as outright presidential refusal to accept its basic economic analysis, it seems to us that the course for a staff officer is perfectly clear. His services are no longer useful and his position is untenable. He should resign.

The antiseptic view of the Council which would have it stand wholly aloof from "political" questions overlooks the Council's legal responsibility for policy recommendations, which are inevitably tied up with social values and current strategies. It also ignores the basic duty of any presidential adviser not to let himself get completely confined to the half-world of his specialty. The latter point is amplified in the discussion below.

The Council's Specialization within the Executive Office. Under President Truman's executive organization, the Council had to be careful, as a small agency,¹⁰ to avoid spreading itself too thin. Its size and the level of its position within the executive hierarchy required an effort to sort out the more general or strategic problems from the array into which it might dip. Moreover, limits to its scope of attention were needed to avoid excessive overlap with the other presidential advisers. But such limits could not be allowed to interfere with the Council's readiness as a professional staff to service the President in any respect he felt appropriate. And they could not interfere with the basic respon-

¹⁰ The Employment Act provides a \$345,000 annual appropriations ceiling for Council personnel, including the three Council members. Appropriations, moreover, never have reached this ceiling and on several occasions have fallen substantially short of it.

sibility of any policy-concerned segment of the President's office for bringing to all of its work some measure of presidential thinking. In the following paragraphs is set forth our understanding of the Council's scope of attention as it became more or less established within the agency before the end of the Truman regime. It should be emphasized that this is a highly interpretative statement, that in attempting precision it risks becoming too exact, and that it is no more than a personal evaluation.

It is useful to distinguish between the work the agency did on assignment and what it undertook on its own initiative. On the assignment side, the rule was simple. The Council of Economic Advisers served as the President's personal economic consultant. In this capacity, the scope of the Council's interest was whatever projects the President might assign to it because he felt pending decisions would be benefited by professional economic analysis or opinion.¹¹ Similarly, the Council accepted work which, at the President's request or with his consent, other officials of the government referred to his economic staff.¹²

The rule on the scope of the Council's initiative cannot be meaningfully stated simply in terms of the label "economic," but it can be cast in terms of specific policy *objectives*. In participating in the policy formation process at the presidential level, the Council took the initiative in advancing, and recognized its responsibility for helping to specify and reformulate, two objectives—those of overall economic stability and of overall economic growth.¹³ In the case of other objectives, it accepted the formulations made by those in the Administration primarily concerned with them.

The agency was, of course, vitally concerned with these other objectives and with the programs undertaken in their support insofar as they affected the even expansion of the economy. Among other objectives commonly called "economic," for example, those having to do with income distribution and with the maintenance of our institutional framework have an intimate bearing on growth and stability prospects. This is equally true of many "non-economic" objectives. Under the post-Korean defense program, for instance, a rapid expansion of industrial capacity has supported the need for, and eased the burden of, defense production. On the other hand, our needs for rearming had to be reconciled with the necessity of maintaining reasonable economic stability.

Thus the Council felt that it could not, without some inspection, disregard

¹¹ Under this heading, for example, would fall the technical work for the National Security Council noted above.

¹² For instance, at the request of the State Department or ECA, it frequently assisted in the preparation of U.S. presentations to the UN, NATO, and OEEC and, during the post-Korean period, it undertook various assignments for ODM and ESA. Cf. note 8, above.

¹³ The concern of the Council with optimum economic growth as well as with stability appeared first in the discussion of "long-range program" in the President's first Annual Economic Report (pp. 34 ff.) and in the Council's December, 1947 Annual Report, which focused on the Employment Act's "maximum production" objective. The need for rapid and sustained growth became a dominant theme in the December and January reports bracketing the beginning of 1949, and was consistently emphasized thereafter.

any of the panorama of policy programs spread out at the presidential level. But insofar as it itself acted as a party-in-interest in the policy formation process, it did so in behalf of the growth and stability objectives.

In application, this ground rule with respect to initiative was subject to three significant qualifications, all of which derived from the Council's organizational position within the executive branch. In the first place, the agency of necessity usually had to confine itself to the higher-level and more general decisions, whether these involved pending and possible legislative determinations, or, as was the case to a great extent under the Defense Production Act, major policy problems which arose within the administrative authority of the President.

In the second place, the Council was quicker to concern itself actively with problems bearing upon the stability and growth objectives when they cut across the lines of established executive branch organization.

In the third place, in practicing its policy on initiative, the Council tried more or less consciously to avoid the danger of overly narrow professional specialization within the Executive Office. Some—particularly certain political scientists—have felt that the Council brings undiluted professional economics altogether too close to the President. There is no assurance, they say, that the preoccupations of his economic advisers will adequately reflect the political, diplomatic, and social objectives of the Administration. One answer to this anxiety is that the "narrowness" of economics varies with the economist. Another is that this objection to the Council scarcely gives due recognition to the present intricacy of the economy or to the pervasiveness of the government's economic role. A third answer is that the argument implies too simple and limited a concept of the presidency; it does not give sufficient weight to the variety of specialists and specialized agencies which compose the remainder of the Executive Office.

None of these answers, however, turns aside the substance of the point, which is the basic responsibility of any presidential staff unit—whatever its principle of specialization—for doing what we have called "presidential thinking." Its recommendations to the President must take more account of objectives and values outside its immediate focus of specialized interest than would be appropriate in recommendations originating in the regular operating agencies. All of the work of synthesizing competing and conflicting objectives cannot be loaded onto the White House itself. Subject to White House review, the other Executive Office agencies, including the Council, must share some of this responsibility. In particular, each of the latter needs to strive for the greatest possible teamwork within the Executive Office itself.

In general during the Truman years there was a substantial "interpenetration" among the institutionalized Executive Office agencies—the Budget Bureau, NSC, NSRB, the Council, and, after Korea, ODM. At both agency-head and staff levels there was extensive formal and informal interchange. The arrangement was not ideal; the need for enriching interagency relationships sometimes was obvious; and the desirability of structural reorganization was a subject of recurring speculation. Without intending to dispute the possi-

bility of structural improvement, we would, first, suggest that coordinating the Executive Office coordinators will continue to be a problem more of esprit de corps and intangibles than of mechanical reforms, and, second, venture to say a kind word for the much-maligned "overlap" of the Executive Office agencies during the Truman period. The overlap among the Council, economic staffs in the Bureau of the Budget, and NSRB was much less extensive than is often supposed, and, in the degree to which it existed, often made for a more balanced net appraisal of a problem than if it had been analyzed exclusively within a budgetary, national security, or economic perspective.

II. THE COUNCIL'S OPERATIONS

Advising the President. The Economic Reports of the President, for which, under the Truman Administration, the Council of Economic Advisers supplied the working drafts, and the Council's own accompanying "Economic Reviews"¹⁴ have constituted, semi-annually,¹⁵ the evidence of the agency's work with which the public is most familiar. Also, the Council each month prepared "Economic Indicators,"¹⁶ a convenient summary, in graphic and tabular form, of the more pertinent statistical series on the behavior of the economy as a whole; made quarterly reports to the President containing both factual and policy sections; and (after Korea) submitted a brief factual "Weekly Summary of Economic Developments."

In addition, the agency prepared a number of special memoranda for the President, both at his request and on its own initiative; frequently participated in the drafting of the President's legislative proposals; often prepared supplementary and supporting economic material for the information of Congress as it considered such proposals; and regularly, through the medium of the Legislative Reference Division of the Budget Bureau, reviewed enrolled bills awaiting action by the President, agency reports on bills pending before Congress, and proposed executive orders.

Theoretically a staff involved in its principal's decision-making may, as it were, occupy an anteroom to his office which provides the only means of access to him for business of a particular kind. Such a staff not only communicates *with* the principal, but *for*, and often *in lieu of*, him. Conversely, a policy-advising staff can be sequestered in a cul-de-sac, having direct communication only with the principal, and never, in his behalf, with outsiders. Like most staffs, the Council stood between these two conceptual extremes. At the outset, however, its role as a *thinking center* was the one which was more glamorized. Under the Employment Act, it was not to administer any legislative programs, and it never has. Rather, a few people were to be relieved from program opera-

¹⁴ The decision to shorten the President's report and to support it with an extensive analysis and interpretation presented under the Council's own label was made at midyear, 1948.

¹⁵ Midyear Reports similar in form and content to the Annual Reports required by law were issued on the President's initiative from 1947 through 1952.

¹⁶ Published by the Joint Committee on the Economic Report.

tions so that, from the vantage of a central perspective, they might consider how all parts of the government's economic program fitted together.

But during the Truman years the Council did not become an ivory-tower operation, nor was it ever intended by the Employment Act that it should be withdrawn from the arena of current issues. The Council was required to gather data and ideas from other government agencies instead of undertaking extensive statistical fact-gathering or primary research of its own.¹⁷ Moreover, Congress in effect strongly advised that the agency make itself a channel through which important private economic groups could express their views on national economic policy questions.¹⁸ Quite as important as the notion of the Council as a thinking center, therefore, has been its role as a presidential *communications center* both within the government and between the government and the private economy.

Interchange with Other Federal Agencies. In its contact with other federal agencies, the Council always has been concerned initially with getting a systematic picture and an integrated interpretation of current economic facts. In this effort it helped during the Truman Administration to develop considerable agreement throughout the executive branch as to what the current situation in fact was, thus reducing the differences over policy which subsequently arose. The practice of preparing the Annual and Midyear Economic Reviews through a process of interagency cross-clearance in advance of presidential decisions on policy recommendations proved particularly useful in this regard.

In seeking agreement about what the facts were, the Council shared the related responsibility of evaluating the government's fact-gathering and -processing resources. If federal programs are to grow out of meaningful factual research and analysis, it is essential that statistical agencies select and process data which policy-makers need and which can be joined together. In its first years the Council, working closely with the Budget Bureau's Statistical Standards Division,¹⁹ contributed to, or helped to stimulate, several significant improvements in federal statistics.²⁰

¹⁷ Sec. 4(d)(2).

¹⁸ See Sec. 4(d)(1) of the Employment Act, dealing with advisory committees.

¹⁹ Now the Office of Statistical Standards.

²⁰ The Council was partly instrumental in the development of data showing total physical production and the publication of a "deflated gross national product" series by the Department of Commerce; early release of quarterly national income estimates; development of the "cash balance" form of federal budget presentation; presentation of more meaningful data on changes in income distribution than was previously easily available; use of "input-output" analysis for testing the feasibility and implications of various programs; and the continuing improvement of the "Nation's Economic Budget." The last provides a consolidated national account summarizing receipts and expenditures of "Consumers," "Business," "Government," and of U. S. nationals in international transactions. For a full discussion of this approach see Gerhard Colm, "Experiences in the Use of Social Accounting in the United States," *Income and Wealth, Series I*, Appendix by Mary Smelker (Cambridge, 1951), pp. 75-111. Moreover, the appendixes of the semi-annual Reviews have presented a relatively concise, yet detailed, overall statistical picture.

The core of the Council's operation under President Truman was its participation in executive policy coordination. The agency's role in this connection, effectuated by its closeness to the President, was partly informal and catalytic. Through daily, often unofficial, and usually oral contact with other agencies, members and staff were kept alerted not only to policy views firmly adopted by the heads of the operating agencies but also to many nascent in their lower echelons. Thus the Council frequently could anticipate interagency disagreements and either suggest compromises or be prepared to take sides.

No formal procedure for policy integration would accomplish much if it were not quickened by such a continuing flow of informal communications. But conversely, this informal interchange would have had little impetus or sense of direction if the Council had not been an integral part of the policy coordination machinery set up by the Employment Act. There is no more erroneous interpretation of the functioning of that machinery during the Truman Administration than the assumption that its principal moving part, the President's Economic Report, *started* in the Council, where the first draft was prepared, and, after some editing and revision in the White House, was dispatched forthwith to Congress. It would be as unrealistic to assume that a professional stage production starts with the dress rehearsal. Actually the published Reports, and the Council's Reviews which backed them up, were, in large measure, the end-products of an elaborate and laborious synthesizing process which embraced policy thinking throughout the executive branch.

The theory—and, increasingly, the practice—during the Truman Administration was that the procedure of presidential economic policy formulation carried on through the medium of the Council should parallel the process of budget preparation which is conducted through the medium of the Budget Bureau. The first drafts of the Economic Reports' policy sections, while done within the Council, were written out of close familiarity with the views of other agencies. The latter were made explicit in the replies of agency heads to calls from the President for recommendations concerning his forthcoming Economic Reports and the State of the Union Messages.²¹ Each full round of report drafts was circulated for the comments of other agencies, and the yields usually were heavy. Disagreements emerged. Some of these were threshed out in staff committee meetings with representatives of the agencies. Others were taken up by the Council members in direct negotiation with agency heads; some were carried into the Cabinet meeting devoted to each Report shortly before it was "locked up"; and a few ultimately had to be decided unilaterally by the President. It was only in cases of exceptional conflict that the Council, even in its own Reviews, included policy recommendations which did not in large measure grow out of interagency discussion.

It was precisely the Council's developing status as a key part of the formal machinery for formulating current programs that most clearly distinguished

²¹ In addition to these calls in connection with the Annual Reports, first suggested by the Council, in 1951 and 1952 more restricted calls were issued in connection with the Mid-year Economic Reports.

it, as a planning instrument, from the National Resources Planning Board.²² The extent of the agency's future usefulness depends heavily on further development and acceptance in this regard.²³

Interchange with Groups outside the Federal Government. The Truman Council members, along with those staff members more directly concerned, regularly met at least semi-annually with each of six advisory committees—those for Industry, Agriculture, and Consumers, and one each for the AF of L, the CIO, and the Railroad Brotherhoods—and in the last year of the Administration an advisory committee representing organizations of state and local government officials was inaugurated. These meetings—informal, off-the-record affairs centering around, but not constrained by, jointly prepared agenda—provided the Council with reactions to previous reports and information and with opinion on current and prospective problems. Between meetings both members and staff actively sought, as far as time allowed, to maintain an open-door policy on consultation with private group representatives.

In its contacts with private groups the Council not only listened but did some talking of its own, serving in some measure as an interpreter of the government's economic program. Its attention to this aspect of its operation was underscored by its substantive analysis, which emphasized the need for consistency between public and private economic policies if the goals of maximum stability and optimum growth were to be readily attained. The President encouraged efforts to make better general economic information available to private economic decision-makers and to urge upon them a more alert concern for the needs of the whole economy and for their own longer-range interests.

Starting in 1949, the Council experimented considerably with a program of regional economic studies. This got under way with the sponsorship of a study of "The Impact of Federal Policies on the Economy of the South," prepared by arrangement with the National Planning Association.²⁴ It was followed by similar studies of the New England²⁵ and Southwest²⁶ regions, both organized

²² For an analysis of the consequences of the latter's aloofness, see John D. Millett, *The Process and Organization of Government Planning* (New York, 1947).

²³ It might be remarked that the kind of group-thinking process just sketched—which process, of course, has been the essence of the Council's operation, internally as well as externally, and out of "report seasons" as well as during them—is displeasing to some scholars who have a nose for the unadulterated atmosphere of "pure" independent research. They find it unhappily cumbersome in its methods, insufficiently thorough in its analysis, and murky in its results. For remarks in this vein directly related to the Council, see M. Bronfenbrenner, "Postwar Political Economy; the President's Reports," *Journal of Political Economy*, Vol. 56, pp. 373-91 (Oct., 1948). Certainly the institutional mind is costly in time and effort and usually, as it turns out, involves some lost motion. And certainly it should strive for maximum clarity in its utterances. But its functioning does not bear close analogy to academic research; rather, in the context discussed here, it is one of the essential processes for organizing authoritative agreement in a polity where no one is generally credited with omniscience.

²⁴ Published through the cooperation of the Joint Committee on the Economic Report as *Economy of the South* (Washington, D. C.: Government Printing Office, 1949).

²⁵ See *The New England Economy* (Washington, D. C.: Government Printing Office, 1951).

²⁶ *The Southwest Economy* (Washington, D. C.: Government Printing Office, 1952).

directly by the Council. The New England and the Southwest committees—in each case composed of economists drawn from academic staffs and the Federal Reserve Bank of the region—were given a maximum scope and independence. Both undertook extensive research programs, sounding out the views of all major economic interest groups and the government agencies in the region.

The Council was anxious not only to sponsor similar studies in other parts of the country, but also to find a means of sustaining the contacts with regional economists and other groups which the original projects had produced. Without in any sense intending the development of an elaborate field operation, it recognized the value, to an agency preoccupied so much of the time with aggregate and global economic problems, of the eyes and ears and local perspectives which this arrangement would afford.

Relations with Congress. Probably no question involving the Council has raised as general an interest among students of government as that of its relations to Congress. This matter was a point of dissension within the original Council and was an issue in the resignation of Chairman Nourse late in 1949.

Disagreement over the Council's proper relations with the Congress has stemmed partly from the false but, as we have already noted, persisting idea that it was to behave as some kind of economic Supreme Court equidistant between the legislative and executive branches. It has stemmed partly from uneasiness about the Council's professional integrity when cast in the role, before congressional committees, of oral advocates of the President's economic policy. Essentially, however, the problem of oral advocacy is no different from that of written advocacy, already considered.

In part, objections to the Council's appearing before the congressional committees and otherwise maintaining close relations with the Congress reflect the rather more substantial argument that staff advisers close to the President should seek anonymity. There would be much to be said for this view if the Council's only intended function were in fact that of advising the President privately. Certainly this mode of operation would have its compensations for the Council members. The trouble with it is that in writing the Employment Act, Congress clearly did not intend the Council to remain anonymous. This is borne out not only by the testimony of legislators who were most active in framing the Act but also by the views of the Joint Committee on the Economic Report.²⁷ Congress' reasons for this course were substantial.

²⁷ The first airing of this issue appeared in an article by Edwin G. Nourse and Bertram M. Gross, "The Role of the Council of Economic Advisers," this REVIEW, Vol. 42, pp. 283-95 (April, 1948). The case against Council participation in congressional hearings was developed at greater length by Edwin G. Nourse in "Why Dr. Nourse Broke with the President," *Collier's*, February 18, 1950, and *The 1950's Come First* (New York, 1951). The case for Council participation in congressional hearings has been stated by members of Congress who contributed to the enactment of the legislation under which the Council was established and by others serving on the Joint Committee on the Economic Report. For example, see the views of Senator Ralph Flanders, "Administering the Employment Act," *Public Administration Review*, Vol. 7, pp. 223-24 (Autumn, 1947), and of Senator

The first was the controversial status of economics as a discipline. In this situation, it was and is healthy, and educationally desirable, for the research methods and analysis of the President's economic advisers to be open to congressional cross-questioning. Contrary to the frequent impression, the practice proved to be more of a help than a hindrance to the work of the Truman Council. One of the most exacting tests to which executive officials can be subjected is careful probing by seasoned legislators of the factual basis underlying their recommendations.²⁸

In the second place and more important: just as a close working relationship with Congress—and more particularly, with the Joint Committee—can assist the Council, so also it helps the Congress in framing its legislative program. Like the President, Congress wants, in the way of analysis of current facts and of the probable economic effects of policies recommended by the President, an interpretation which goes beyond the printed page. It receives this service from administrative officials concerned with particular parts of the President's program; it would seem to be entitled even more to the assistance of an agency which, of all the executive agencies, is supposed to have the best chance of maintaining a balanced and comprehensive view of the program as a whole. With the exception of the first chairman, all Truman appointees to the Council seem to have felt that it would be incongruous for the Council, after, it might be said, having talked with everyone else, to refuse to talk directly with those who were making the final policy decisions which so much concerned it.

The Council's relations with the Joint Committee through 1952 included appearances at both executive and public sessions, some informal cooperation on research between Committee and Council staffs, and, as already noted, collaboration in supplying "Economic Indicators" to legislators and to key personnel in the executive branch. Mainly because of the press of other business, however, the Committee-Council relationship was never strengthened, even after Mr. Nourse's departure, as much as the other Council members thought desirable.

III. INTERNAL ORGANIZATION

The theory of the general economic staff function embodied in the Employment Act cannot come to much unless it is supported by effective organization

James E. Murray, *Washington Post*, November 5, 1949. The Joint Committee, in the majority report of June, 1950, dealing with the President's January, 1950 Economic Report, also expressed itself on the subject: "Full and free discussion of economic problems with those who have the statutory responsibility to advise the President on economic policy is essential to a complete understanding of the President's Economic Report by the committee and; therefore, to the committee's fulfillment of its responsibilities under the Employment Act." (81st Cong., 2d sess., Report No. 1843, p. 21.) For a more general discussion see Bertram M. Gross, *The Legislative Struggle* (New York, 1953), pp. 295-96.

²⁸ If the committees' investigative purposes and methods are constructive. The Council's salutary experience in this respect was due in large measure to the excellent manner in which the Joint Committee on the Economic Report conducted its hearings.

and procedure within the Council. There is space only for some selected comments on the experience of the Truman years in this regard.

The Three-Man Council. We shall not undertake here to discuss the current ill-repute of the multi-headed organizational form among American students of administration. But we do question the wisdom of automatically condemning it, as applied to the Council, on doctrinaire grounds. Viewed in the light of the agency's particular circumstances, the issue is a close one.

In economics it still is true that "in a multitude of counsellors, there is safety . . .," and it was this view which led the House conferees on the Employment Act to insist upon the three-man form. Certainly it is likely that, leaving personalities and other random factors aside, the confidence of the public, the Congress, and possibly the President is greater in the joint economic advice of three reputable advisers than it would be in that of any one of them. Thus, other things being equal, the Council form has a clear public relations advantage. Moreover, it is certainly true that during the Truman years debate and compromise among the members often resulted in a better balanced and more reliable product.

It is a rather superficial error, however, to assume that the issue between a single head and a Council of three actually involves a choice between one "counsellor" and several. The official utterances of any agency head, no matter how many human craniums are embraced in that term, are ordinarily, if the agency is functioning with a modicum of efficiency, the work of many minds. "Singleheadedness" obviously does not limit an agency's mental resources nor, in the case of an economic advisory agency, confine it to lone-wolf analysis instead of collective analysis. The real issue between the one-headed and three-headed form, then, is simply between alternative ways of organizing the collective thinking so that it can result in decisions, conclusions, or "positions."

Viewed in this light, a committee of peers cannot on the basis of the Truman Council's experience be judged an exceptionally efficient device for producing decisions in the field of economic diagnosis and policy analysis. Following what seems to be the only feasible course for presidential advisers endowed by law with a considerable public role of their own, the Council during the Truman Administration habitually refrained from speaking publicly and officially with a divided voice.²⁹ Consequently, the development of agreement within the Council frequently was a tortuous process. Deadlines could not be met with the same ease with which a single executive can always, if the calendar requires, decide a dispute within his staff. Usually they were met, but often only

²⁹ A partial exception to this policy was made for the first time in the January, 1952 Annual Economic Review with the inclusion of a short separate statement by Mr. John D. Clark on monetary and credit policy. In their final Review (January, 1953) the Truman Council members soloed rather more freely, with separate statements by both Messrs. Clark and Keyserling, Clark's being in outright disagreement with a considerable portion of the Review, Keyserling's only amplifying or paralleling one aspect of it. In no case, it should be noted, did the policy of public unanimity conflict with the freedom of members to vary the emphasis of their own speeches, articles, or other individual public statements.

at the expense of extra working hours and distracting tactical maneuvering within the Council. Occasionally, when an agreement could not be reached in time, the result was public silence on a significant policy question. More frequently the result was a greater degree of net cautiousness in appraising the economic outlook and, in particular, in pursuing analysis into the long-run future than probably would have characterized the work of all or most of the Council members individually.

This is a substantial indictment. But before it is taken as conclusive, an additional consideration is in order. It can be argued that most of these difficulties, while unfortunate in themselves, simply reflected the basic complexity of the policy integration problem which had to be threshed out one place or another, and as much as possible among peers—i.e., agency heads—short of the President. Much of the threshing-out process which the committee form of organization forced the Council to do within its own confines, particularly during the preparation of the Economic Reports and Reviews, may have saved the White House staff, and ultimately the President, from having to engage more extensively than they did in the far more ponderous arbitration of differences among Cabinet members and other agency heads. This is a sound argument, of course, only to the extent that the differing views of the three Council members approximated important differences of opinion elsewhere within the executive branch. Frequently, but not always, this was the case.

The deliberate pace which the three-member form forced upon official Council decision-making needs also to be seen in the perspective of the other staff services at the President's command. Since he was already equipped, in the White House and the Budget Bureau, with specialists in the enormous volume of day-to-day tactical decision-making the presidency involves, the justification may be all the stronger for staff work dedicated to the second look and the broader and more reflective view.³⁰

The effects of the multi-headed form on topside-staff relationships within the agency were also mixed. The council form permitted a useful division of labor among the members, with each assuming primary responsibility for working with the staff in the fields of his greatest professional interest and competence—as far as the respective backgrounds of the members allowed. This facilitated extensive participation by Council members in the early phases of work on any project, and, by intermingling Council and staff work, increased the extensiveness of staff members' topside contacts. But also, by inviting the doctrine that "each Council member is his own economist," it probably made

³⁰ This last point gains cogency from the fact that Council members (and staff members as well) did spend a considerable part of their time mixing *as individuals* in the rough and tumble of daily presidential business. By means of this quasi-explicit distinction between their individual and collective roles, the members of the Council sought a detour around Millett's 1947 judgment that two members of the Council would have to subordinate themselves to the third if the new board were not to become excessively remote from the President and his other advisers. See Millett's *The Process and Organization of Government Planning* (cited in note 22), pp. 167-68.

for less final reliance on the staff than would have been necessary in the case of a single adviser.

The basic condition which, when coupled with a reasonably clear yet flexible delineation of staff assignments, has kept the multi-headed form workable within the Council is simply the agency's small size. In an organization involving less than 20 professionals, where these share close working interests and readily talk each other's language, the chain of command can be relatively looser, shorter, and less formal than would be necessary in a larger, more heterogeneous organization.

Staff Organization. In terms of administrative architecture, the Council staff throughout the Truman Administration was a "short, wide" organization with a minimum emphasis on hierarchy. The bulk of the professional staff was made up of economists of relatively high civil service grade who were individually responsible directly to the Council for such specialized subject-matter areas as monetary and credit problems and policy, wage and manpower problems, and international economic problems, and who at the same time were thought to have a general competence in economics and something of a "feel" for public policy problems. In a few instances these senior staff members had assistants drawn from the middle range of the professional economist civil service brackets. Professional staff members, besides analyzing developments and prospects in their individual areas, served on a set of substantive staff committees (for example, one having to do with price and wage relationships and policy, and another concerned with making projections of national income and product components) which cut across the individual subject-matter areas and sometimes included participants from other departments and agencies.

These substantive staff committees, particularly because staff members were likely to serve on more than one of them, facilitated the integration of work within the agency as a whole. This was further implemented by periodic meetings of the full Council and staff. In addition, the integration of the agency's product was facilitated by a reports or editorial committee, which was responsible for the editorial coordination of the agency's regular reports at the staff level and, in the case of the last two semi-annual reviews, for first-drafting most of the manuscript on the basis of staff memoranda concerning developments and problems in the various subject-matter fields; a statistical unit, which helped to service the needs of Council and staff for statistical compilations and analysis, and, in particular, supplied extensive statistical data for the reports; an administrative officer (or, at an earlier stage, executive secretary); and staff members who served as personal assistants to individual Council members.

This somewhat rambling and highly flexible administrative pattern seemed to serve the needs of the Council with considerable success; here again the small size of the staff had an important qualitative bearing. By facilitating continuing and highly informal communications within the staff and by forcing

a multiplicity of roles on staff members, it permitted an organization conducive to the extensive and highly interrelated coverage of economic problems which the agency's mission demanded, and at the same time avoided cumbersomeness.

CONCLUSION

It perhaps goes without saying that we think the agency should be continued, and be strengthened, not weakened. As for what we think should not happen, it should not retreat into the half-world of professional isolation. It should not be dissociated from its intricate network of relations with the President, with other executive officials, and with the leaders of key private organizations. There should be no muddying of its clear reporting responsibility to the President, and no diminution of the Council's emphasis upon detailed analysis of current economic facts or of its attention to the adequacy of available statistics. The agency should not mushroom into a considerably larger organization.

There are a number of things we do hope to see. The Council's communications-center and thinking-center sides should grow in balance. There is need for greater precision in the policy formulation procedures which channel through the agency. In particular, the Council's process for formulating long-range goals for the American economy should achieve fuller participation by business, agricultural, labor, consumer, and professional economic groups and by other government agencies, and the process should become more specific in its results. The Council's attention to the inseparable interrelationships between foreign policy and the course of the domestic economy should be reinforced, and its emphasis on the role of state and local governments in domestic policy increased. The regional study program might well be extended to cover a few more areas and should focus attention on the institutional framework of regional planning. Efforts should be made to develop concepts bridging the present gap between "economic planning" and "physical planning." Resources permitting, we favor more orientation toward theoretical analysis in the twilight zones between economics and the other social disciplines, seeking to improve the former's usefulness as a policy tool. We should like to think that at least annually the Council could bring forth an intensive treatment along monographic lines of a key economic problem or program. To do all of these things the agency would need a slightly larger budget and a few more people.

So far as organization matters go, we are not, in our own minds, wedded to any of the internal patterns and procedures of the Council during its first six years. Experimentation should continue, but cautiously and with an understanding that the economic staff function could easily be weighed down with too much formal administrative structure. Whether strengthening of the chairman's status and administrative authority will enable the Council to operate as satisfactorily as a single adviser is, in our minds, an open question.

As for what will actually happen, we confine ourselves to the prophecy that the economic staff function will, in some form, survive. Those who, near the

Council's outset, guessed that it would go the way of the National Resources Planning Board³¹ probably will be proven wrong.

³¹ Cf. R. G. Tugwell's highly stimulating discussion of central planning, "The Utility of the Future in the Present," *Public Administration Review*, Vol. 8, pp. 57-59 (Winter, 1948). On the ground that "any planning tied exclusively to the Chief Executive will never become central planning in any defensible definition of the term," he concludes that the Council does not "possess very great survival value," that it is "vulnerable to its natural enemies and possesses no strength of its own," and that "when this experiment is finally liquidated, we . . . are not likely to be much further advanced in the development of central planning." Committed to the thoroughly monistic policy-forming and -executing process he finds in Britain, his argument is not with the Council as such but with the whole separation of powers concept. Despite its brilliance, we do not find in his exposition any adequate refutation of the Employment Act's underlying thesis—namely, that by fortifying what he happily calls "agencies of conjuncture" in *both* the executive and the legislature, and by strengthening the connecting rods between them, it is possible to develop workable programming machinery within our present constitutional framework. Nor in all Tugwell's castigation of things as they are here and idealization of things as he sees them in Britain do we find any hints of a practicable program of constitutional reform for this country.

THE FEDERAL BUREAUCRACY AND THE CHANGE OF ADMINISTRATION*

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The period starting November 5, 1952 has been called "The Time of the Jitters" for the middle and upper levels of the federal bureaucracy. Political change is usually disruptive and always accompanied by uncertainty and insecurity. Intellectual acceptance of this truism does not insulate one from the effects any more than death and taxes, for all their recognized inevitability, cease to be sources of distress.

There were many reasons to anticipate that the 1952 election might result in a greater than usual degree of change, or at least of uncertainty. In many ways there were no real American precedents for the situation. The period of executive control by the outgoing party had been characterized by the unusual duration of 20 years, by highly controversial political policy, and by profound social change. This was the first change of administration under conditions of modern Big Government—the first since the American government found itself with accepted broad welfare and economic responsibility on the domestic scene and with major power responsibilities in a divided and warring world. Since the last full change, the size of the federal civil service had increased over 400 per cent, governmental expenditures over 16 fold. This was also to be the first full change of administration to show the effects of the 20th Amendment.

The new Administration not only had a mandate for extensive policy changes but was also clearly committed to do "something" about the number and kind of federal employees although—as with election issues generally—what and how much were necessarily vague. Certainly "corruption" and "throw the rascals out" were major campaign themes. Housecleaning was a dominant note and reorganization and reduction of agencies and personnel were to be the big brooms.

It would be cavalier to attribute all of this to cynical compliance with the old campaign principle, "nothing succeeds like excess." There is ample evidence that Candidate and President-elect Eisenhower and many of his leading supporters genuinely believed that the executive branch had become contaminated with grafters, incompetents, political hacks, "socialistic thinkers," and even a not inconsiderable number of disloyal persons, and that a wholesale substitution of honest men with administrative ability would solve most of our problems. The administrative talent would have to be found in men with a different social orientation than that which presumably had dominated the executive branch during the previous two decades. If the polls are to be believed, a large portion of the general public shared this view.

* This paper was delivered at the forty-ninth annual meeting of the American Political Science Association, September 11, 1953. Minor revisions have been made to reflect the situation at the beginning of the Administration's second year.

Unlike the typical European bureaucrat, nine out of ten U. S. civil servants, it is safe to say, had never before experienced a complete change of administration. For them this was clearly a time of bafflement and restiveness.

In view of this background, it is surprising that the actual effects of the change of administration on the bureaucracy did not turn out to be more drastic than they were. The returns are not all in and it is perhaps too early for firm conclusions. Although specific findings must be tentative, it is useful to appraise the general trends on the basis of such evidence as is available. My necessarily undocumented sources are primarily extensive interviews with present and former bureaucrats, political officers new and old, members of Congress, and newspapermen. From a mass of contradictory evidence and opinion—much of it highly flavored with feeling at this juncture—I have attempted to distil what appears most reliable and significant. I have restricted myself to four aspects of the problem: (1) organizational changes, (2) presidential leadership, (3) personnel actions, and (4) the political and moral climate.

I

It seems clear that Mr. Eisenhower was convinced, as he reiterated throughout the campaign, that his was a mission to bring moral regeneration and administrative efficiency to the government. In the days before Inauguration and immediately thereafter, his interest and energies appear to have been directed largely to these phases of his task. Policy issues played a subordinate role; in fact, there is evidence that he regarded policy as the responsibility of the legislative branch of the government, and as only an ancillary function of the presidency.

Not many persons in or out of the government seemed aware of the potential significance of the first full trial of the 20th Amendment, commonly regarded as solely a device to end the practice of lame duck congressional sessions. Inasmuch as it became part of the Constitution after the 1933 Inauguration, it had never been tested under conditions of complete party change. In previous changeovers the new President had four months between election and taking office; and he and his new administrators had about nine months to organize themselves, get acquainted with their jobs and their staffs, and consider budget and policy recommendations before the Congress assembled in Washington (except when the President himself decided to call a special session).

On this occasion, however, the President would take office only eleven weeks after election. He and his department heads would face immediately a fully organized Congress, already in session and prepared to ask for executive testimony at hearings the next morning if in the mood. The budget message, the economic report, and perhaps one State of the Union message would already be before Congress, and the new administrators would be expected to come forward in a short time with alternative proposals. It has been contended that the "double budget" process (familiar in both state and local governments) is helpful not merely because it removes the necessity of having a new administration operate for 16 months under an opposition budget but also because budget prep-

aration is the most rapid, efficient, and compelling way for a new agency head to become acquainted with both the personnel and the problems of his agency. There is considerable evidence that this time, at least, it did not work out that way. There is little doubt that the paramount demands of members of Congress and congressional committees impeded the attempts of the new top executives to become acquainted with their responsibilities and personnel in reasonable time and under favorable conditions.

It may have been awareness of these new time pressures that led the new Administration to take quick action to expedite its task. In fact, as early as June, 1952, despite the humiliation of similar activities in 1948, Mr. Brownell asked McKinsey & Co. to make a survey of the responsibilities and requirements of the policy positions in the executive branch. It is also likely that a substantial portion of the top executive level may have been decided upon even before the elections; less than two weeks thereafter the President-elect announced the names of six Cabinet choices and had apparently selected his Director of the Budget. Before the month was concluded he had announced all Cabinet and several other key appointments.

One week after the election, at the invitation of President Truman, the representative of the President-elect, Joseph Dodge, later to be named Director of the Budget, was in the Executive Office in Washington closely observing every step in the preparation of the forthcoming budget. Mr. Lodge, later to be named head of the U. S. delegation to the United Nations, was present with a similar but less tangible assignment in connection with foreign policy and military affairs. Less than two weeks after the election the President and the President-elect held conferences in the White House, joined by key Cabinet officers, at which time there was turned over to Mr. Eisenhower three volumes of briefing papers from the National Security Council.

At the departmental level advance collaboration between the outgoing organization and the prospective newcomers was most conspicuous in the Treasury Department, where the new top team was hard at work from November on. In general, where such collaboration took place it appears to have been reflected in later happier relations between the new agency heads and the old bureaucracy, especially in Budget and in Treasury, but it is of course impossible to know how much to attribute to this and how much to other favorable factors.

At the end of November, the President-elect announced the formation of a three-man committee, which was given official status immediately after he assumed office as The President's Advisory Committee on Government Organization. This committee, composed of Milton Eisenhower, Arthur Flemming, and Nelson Rockefeller, worked quietly with a small staff and within a few months presented 21 studies. Many of its recommendations have been reflected in subsequent reorganizations. The fact that these studies were unpublicized personal submissions to the President seems to have improved both their quality and their usefulness.

Most close observers are agreed that some organizational improvement has taken place at the White House level. It appears in general to be a tidier affair,

with considerable advantage having been taken of the large number of studies which have been made of the Executive Office in recent years. The White House staff was a reasonably well integrated group before it arrived in Washington, for it had been meeting regularly at the Commodore Hotel in New York. An earnest attempt has been made to assign staff members clearly delineated functions. The Administration is experimenting with a plan widely discussed among political scientists for several years—establishment of a relatively informal chief of staff for the White House office, a post now designated Assistant to the President and occupied by Sherman Adams. While Governor Adams has been subjected to much criticism from members of Congress and others who have felt unnecessarily blocked off from the President or have been disappointed by what they considered a slow response to their demands, he appears to be popular and appreciated within the staff and by the President. The contrasting views are simply opposite faces of the same coin. Adams has assumed a role not unfamiliar to intimate presidential aides, that of whipping boy for the President, somewhat reminiscent of the William Loeb role in Theodore Roosevelt's Administration with the then familiar newspaper headline, "Loeb Takes the Blame."

Other reforms have been made at the highest administrative echelon which have long had strong support in scholarly literature, although it is not clear that they will survive. The oft-repeated recommendation that the Council of Economic Advisers be replaced by a single economic adviser to the President has been substantially acted upon through Reorganization Plan No. 9, which, while retaining the three-member arrangement, vests all administrative functions of the Council in its chairman. However, the previous confusion may recur since other economic advisers have sprung up on the White House staff—Dr. Gabriel Hauge, one of the administrative assistants, and Mr. Williams, Undersecretary of Commerce, who was transferred to the White House to act as a vehicle for "grass roots" reporting of economic conditions throughout the country. A new Advisory Board on Economic Growth and Stability has been established as a coordinating device. This may reflect the sensitivity of the President regarding the cause of the downfall of his last Republican predecessor. He has told small groups that there may be need of an equivalent of the National Security Council to contend with the internal threat of depression.

A long felt need to clarify the respective roles of the National Security Resources Board and the Office of Defense Mobilization was resolved last April when the President sent Reorganization Plan No. 3 to Congress and established ODM as the permanent defense mobilization agency and abolished NSRB. The specious distinction between long-range and short-range planning was eliminated, and an attempt was made to bring planning and operations into somewhat more intimate contact by giving ODM some direct economic responsibilities, such as control of the stockpile of critical materials. Whether, however, there are any essential distinctions which will shield the present ODM from the causes of the demise of NSRB remains an open question.

An important step in general conformity with recommendations of the

Hoover Commission and other study groups was the expansion of the responsibilities of the chairman of the Civil Service Commission who, by executive order, has been designated the President's adviser and assistant for all personnel actions except presidential appointments. At the same time, the Liaison Office for Personnel Management, in the White House Office since 1939 and not conspicuously successful, was abolished. The President underscored the importance he attached to personnel actions by asking Commissioner Young to attend all Cabinet meetings and he, like the Director of the Budget, has become a *de facto* member of the Cabinet.

Some who have observed this phenomenon from close quarters have questioned whether those in a staff and advisory relationship to the President, like his budget and personnel officers, are not really handicapped for the most effective exercise of their functions by participating in Cabinet meetings at which decisions are now frequently made. The question is whether they are not thereby disarmed from rendering to the President the kind of candid advice which can be given to him personally but not in front of Cabinet officials.

Interestingly, some of the most articulate spokesmen for the principle of giving the President more direct control over the personnel machinery of the government seem to have had their convictions shaken by a change in administration. Some are now complaining that if the civil service administrator becomes a part of the President's political team it tends to take away from the civil service the kind of job protection which they feel is one of the Civil Service Commission's primary responsibilities. The role and behavior of the Commission has, of course, become the bone of contention one might expect in a changeover period. But there is virtually no disagreement that the recent organizational shakeup of the Commission's staff was long overdue and salutary.

Another organizational anomaly was removed when the office of Director for Mutual Security was removed from the Executive Office of the President, an arrangement which had previously made one man a presidential staff coordinating officer as well as director of one of the operating agencies he was to coordinate—the Mutual Security Agency. This might have been expected to please those who felt that if this type of dual role was to be permitted at all, it should be vested in the Secretary of State. Since, however, reactions to organizational arrangements are always colored by attitudes towards the immediate incumbents, some of those persons now find themselves unenthusiastic about the organizational improvement because they are unenthusiastic about the Secretary of State.

Especially interesting is the President's attempt to make use of the Cabinet as a collegial body. He has experimented with collective decision-making, and has made active use of Cabinet committees. Cabinet level committees, for example the Defense Mobilization Board, are now often attended by Cabinet members themselves rather than by fourth and fifth level subordinates. The revitalization of the Cabinet as a body is, of course, standard practice for the first few months of a new President—President Truman's brief encounter with this practice will be remembered—and there is a widespread feeling, particularly among

those who disapprove of the technique, that it will go into discard when, as they put it, the President understands that the country needs a President rather than a chairman of a board of directors.

Some of the reasons given for the added role of the collective Cabinet are of special interest. It is explained that when the agency heads first arrived they brought with them a profound distrust of the inherited bureaucracy. A frequent complaint was "I don't know whom I can trust." This severance of the top executives from the more experienced personnel in government threw the former into greater mutual dependence and caused a degree of discussion of departmental problems within the Cabinet which was quite unusual. In addition to the centripetal force of what one official called the feeling of living among "unfriendly natives," there was the previously mentioned role of the 20th Amendment which caused the new officials to learn rather abruptly and under difficult circumstances that Congress was like no board of directors or stockholders they had ever known in industry; the consternation and surprises of that experience also threw them closer together. But perhaps most important is the fact that, under President Eisenhower's methods, basic decisions are actually taken at Cabinet sessions and are likely to be made by the group. In some quarters this is regarded merely as an early experimental stage which will not endure for the same institutional reasons that have forced other presidents to drop such practices. Others feel confident that it will continue since the President, given his personality and working habits of many years, knows no other way to operate. However that may be, there is little doubt that the repetitious newspaper talk about the spirit of the "team" has thus far contained considerable reality.

The Cabinet committee embodied in the National Security Council has at last come to life and is an effective central war cabinet, proving a vitalizing and coordinating force. This is attributed primarily to the active role of the President himself. Great credit is given also to the energy and skill of Robert Cutler, the President's liaison man on NSC matters. Some of the success of the Council is no doubt due to the negotiating talents of the Vice-President, who has been given an administrative role in this as well as other fields not paralleled by any previous Vice-President. Mr. Nixon presides over NSC meetings in the absence of the President (in the previous Administration it had been the Secretary of State), just as he presides over the Cabinet in similar circumstances. He is also informally the head of the President's liaison staff with Congress. It should be especially instructive for political scientists to observe closely in the ensuing months the development of this experiment with a new role for the Vice-President.

I will not attempt to review administrative developments in the individual departments, except to say that no accurate generalization can be made. The experience, and the reaction to that experience, has varied from very good to very bad. By and large, with highly articulate exceptions, civil servants seem to have accepted the reality that President Eisenhower could not have appointed the kind of Cabinet which a successful Democratic candidate might

have, that inexperience was an inescapable characteristic of the Cabinet of a party which had been out of power for 20 years (though there seemed to be no escaping the contemptuous view of the oldtimer for the neophyte, even if the newcomer was his boss), and that it would be required to have heavy business representation. The emergence of a Cabinet (as well as sub-cabinet) largely characterized by lack of direct acquaintance with the federal government reflects some special aspects of our government structure for which the price is often heavy. Nevertheless, the past generalizations common a few months ago are beginning to disappear in the face of the emerging facts. One of the businessmen inexperienced in government, Mr. Humphrey, has proved the most apt learner and has generated real respect internally and externally, even among those who do not share his policy views. On the other hand, one of the ex-governors, Mr. McKay, has had more than his share of difficulty. Thus, department heads are now being evaluated individually on their merits, rather than stereotyped. The overall verdict appears to be that, making allowance for the probably inescapable predominance of the novice, it is a group no worse than most of the Cabinets of the previous two decades and perhaps better than some.

A brief word is in order on the three largest reorganization moves at the department level. The first was the creation of the Department of Health, Education and Welfare, a change previously urged by the Truman Administration. It is too early to say whether this reorganization will make any fundamental difference. For a time, the conspicuous fact was the great difficulty Secretary Hobby was having in staffing some of the top posts in her department, a difficulty some other agencies appeared to share in lesser degree. The reorganization (Plan No. 7) which took from the State Department its so-called "operating" functions was generally unpopular among professional students of public administration. It was, however, a move which the Secretary of State desired and it followed the recommendations made by The President's Advisory Committee on Government Organization (the Rockefeller Committee). The important reorganization in the Department of Defense (Plan No. 6) will be argued about for some time, but clearly it was an enterprising attempt to move in the direction of increasing civilian authority within the department, an achievement which eluded Mr. Wilson's very able predecessors. It remains to be seen whether he can succeed, but it is clear that he is prepared to put up a hard fight for control.

II

On the whole, it would appear that the broad lines of administrative action have been thoughtful and sound. Nevertheless, there has been a dramatic net decline in the role and leadership of the executive which has had a stunning effect on the bureaucracy. Civil servants of the past generation were bred in the prideful environment of executive leadership. Theirs was a tradition of proposing and initiating new ideas, programs, reforms. Theirs was the task of "educating" the Congress and even doing battle for policy advances. They were the servants of the head of the government, who was held accountable for the suc-

cesses and failures of an administration, and who acted accordingly. There was exhilaration in this, a sense of purposefulness and challenge to imagination and resourcefulness, with a premium placed upon the courageous mind, even in periods when executive proposals were not faring well. This temper reached surprisingly far down into professional and even clerical levels.

While this temper had gradually subsided during the Truman years, the first months of the new Administration represented an almost full reversal. It had not been supposed that the President took literally the textbook maxims he proclaimed during the campaign about the three separate branches of government, including the notion that the President only proposes while the Congress disposes. It now appears that he did. Some close to him have said that he entered the presidency under the impression that an unconstitutional aggrandizement of executive power had taken place in the preceding 20 years and that he would have to bend backwards to redress the balance. In any event, during the past year we witnessed a rebirth of the Whig theory of the presidency—held by most Republican presidents of the past century, but which hardly seemed credible in 1953—that the President is the servant of the Congress.

This abdication to Congress, or the permitted usurpation by Congress of executive authority, has been the source of basic difficulties for the executive branch. It has given executive employees a sense of declining significance. They feel unlooked-to for development of policy, and attached to an instrument without sense of direction or central purpose. Also, it has created a degree of accountability to Congress for day-to-day administrative activities which violates every principle of executive efficiency and integrity. A word of criticism from a congressional subcommittee sets in motion reactions which indicate that some department heads are not yet attuned to the fact that the executive branch has a basis for authority of its own.

The enlarged role of Congress as well as its own apparent ambivalence are blamed for the Administration's failure to accept as a rule of administration that national policy cannot be successfully administered by men who do not believe in it (although the most enthusiastic devotees of civil service sometimes make the same error), and has resulted in a long series of appointments of officials whose careers and utterances indicate firm opposition to the programs they are to administer. The list is impressive: the new head of the Rural Electrification Administration is regarded in his home state of Minnesota as an opponent of REA projects; the new head of the Housing and Home Finance Administration fought hard and consistently in Congress against the program he is now to administer;¹ an arch protectionist who voted against the Reciprocal Trade Program when he was in the House has been appointed to the Tariff Commission; an Assistant Secretary of Interior appears to oppose conservation and has testified that the public lands should ultimately be turned over to private citizens; the new general counsel of the Department of Health, Education

¹ Sharp criticism accompanied this appointment. Whether because of it or not, Mr. Cole has exhibited balance and open-mindedness regarding his responsibilities in office.

and Welfare is a former congressman who voted to restrict social security coverage; the new chairman of the Federal Trade Commission previously made his living representing interests who did battle with the Commission; and the President's original appointee to head the Bureau of Mines was so articulate in his opposition to the Mine Safety Law he was to administer that the congressional committee forced the White House to withdraw his name.

What then is to be the conscientious official's reaction to a situation in which he finds that the head of his agency not merely disagrees with previous methods or policy particulars, but appears to be opposed to the entire enterprise, at least as the employees have been taught to view it?

What we may be witnessing, as Walter Lippmann has remarked, is an attempt to apply the principles of a constitutional monarchy to the American system, but without the advantages of a prime minister or party leader; more likely, it is the early stage of an educational process on the nature of American government. According to a British evaluation "President Eisenhower is not a politician and, as a professional soldier, has been living outside the United States for a great part of the past forty years. To him, as to many other Americans who have never had the opportunity nor the curiosity to study the workings of their own political system at first hand, the duels and conflicts between Congress and the Presidency over the past twenty years have seemed largely unnecessary, the work of factious and fractious men which could be avoided with a little common courtesy and common sense."

There are those who are optimistic as to a future reassertion of the executive role in government, placing reliance on the President's reputation as a "slow starter" who has demonstrated capacity for firm leadership when finally at home in his environment. They also feel that the death of Senator Taft has forced upon the President a realization that the White House must be its own leader. Others regard the President's uncomplicated conception of the executive role in American government as being too profoundly part of the man to be revised by new experience at this stage of life.

III

The civil service personnel actions of the new Administration provide the most lively current conversation piece among government employees. The heat which has been generated on this issue is so intense as to make reasonably objective appraisal at this juncture extremely difficult. This is understandable; a large number of people are fearful for the security of their jobs and livelihood, and some are already unemployed.

The central issue is as old as it is complex: What is the proper balance between change and continuity in the context of our system? This would be a difficult enough problem standing alone, but it is complicated by many other interwoven problems. The answer is not at all clear, and there are no basic traditions to guide us. This problem in American government administration is in a very elementary stage of development.

We have already noted that with a few exceptions the top departmental

executives took office with a considerable degree of distrust for their inherited bureaucracies. So strongly did one or two Secretaries feel on this issue that they continued, after taking office, to make public addresses in which both the ability and the integrity of civil servants were impugned. It is common in Washington to explain this fact, which is having enduringly harmful effects, by saying that the new executives were taken in by the extravagance of their own campaign speeches. But this is only a half truth. Its uncritical or partisan acceptance will only shield from view the various factors which caused a new administration to be suspicious of the desire or capacity of the civil service to serve it faithfully and effectively. There has been a tendency in Washington in recent months to talk about our civil service as if it contained a long tradition of occupancy by pure technicians and career personnel, selected and promoted through a competitive merit system, and bred in the customs of administrative neutrality. This simply is not the case, however much one may believe that it ought to be. And it is important that we be aware of the many factors during the last 20 years which have operated against the acceptance of such a tradition.

The civil service was in low esteem in 1933. The Roosevelt Administration initially was rather harsh with employees who appeared to be identified with the outgoing Administration (note the experience of the Bureau of Foreign and Domestic Commerce, known as a Hoover favorite) and it undertook a rapid expansion of government employment largely through new and emergency agencies whose personnel were exempt from the competitive system. It is useful to recall that cries soon arose that Roosevelt was destroying civil service and this became a campaign issue in 1936. Personnel recruited in those days remained in government and to a considerable extent were later blanketed into an expanded classified system. There is nothing unusual or improper about blanketing through executive order. Most civil service expansions have taken place in this way, and one of the largest blanketing actions was accomplished through legislation—the Ramspeck Act. Nevertheless, each such action arouses the suspicion of the opposition. There is little doubt, for example, that President Truman's executive orders of 1947 and 1948 were regarded as partisan actions by the opposition, and as being in the nature of "midnight appointments." Bureaucracies are most likely to achieve stable acceptance under circumstances in which the bulk of personnel are known to have served different administrations. A circumstance in which nine out of ten civil servants entered the government under a particular administration—and a more than ordinarily controversial one—does not help to obtain ready acceptance of the inviolate status of civil service rights and privileges.

Moreover, the circumstances of the past 20 years were not such as to encourage in the bureaucracy a temper of neutral government service. Men were attracted to the New Deal by a contagious and buoyant enthusiasm for a popular social revolution. "We are reshaping society and we are the better civil servants to the degree of our enthusiasm for our task." This was the common view of high level bureaucrats in the thirties. Many of them became well-known advocates of a program and a philosophy. Increasingly, they appeared before Congress to testify for Administration proposals, not just as disinterested technicians but as

Administration spokesmen. Anonymity was certainly not considered essential for the civil service. Whether or not one happens to favor this type of civil service activity is beside the point. The facts are worth noting as being sufficient to permit reasonable men to look somewhat askance at latter-day protestations that all positions under civil service must be considered utterly non-political and beyond the appropriate reach of new political officials. We talk about a career service, but is it persuasive to the outsider? Are the elements necessary for a career system present?

Under these circumstances it is easy to understand why, shortly after they took office, many of the new department heads began to exhibit the restiveness of men who were given to understand that their job was to overhaul their departments but who did not have adequate authority to select personnel. There is little question as to the sincerity of the distress felt by Mrs. Hobby, for example, when she told the House Interstate and Foreign Commerce Committee of her frustration in finding even her own immediate office, including the No. 2 job in the agency, under civil service. Hers was an extreme example of a widespread conviction that there was an absence of necessary freedom of action for removal and recruitment of personnel, commensurate with the responsibilities of a department head.

The argument is often made that the new officials could find within the civil service of their own departments persons to replace those they wished to remove from key positions. Like the Supreme Court, the bureaucracy follows the election returns, and many bureaucrats, if not a majority, were enthusiastic for the change dictated by the November election. But this begs the question, since the difficulty arose from a profound distrust of the federal bureaucracy and the circumstances were not such as to make plausible the finding of a solution within that bureaucracy. The distrust was unfortunate and in most cases unjustified, but it was the existing circumstance, and it was important that such distrust was felt even more keenly and expressed more articulately in Congress than among the new executives.

It was this felt necessity for additional freedom of action to control key policy jobs which led to the most broadly publicized of the new Administration's actions in the personnel field: the President's order creating Schedule C for exempted jobs and his direction to the Civil Service Commission to reexamine all classified jobs, particularly those which had been transferred from the old exempt Schedule A by President Truman. He ordered removed from the merit system, as improperly placed there, positions "of a confidential or policy-determining character" (E.O. 10440). The language of the order left wide latitude for the Commission—in conjunction with the departments—to be controlled by its own judgment.²

² A special irritation was also removed with this order. Many positions acknowledged to be policy-level, and therefore in the excepted Schedule A, had been given the protection afforded classified employees as a result of President Truman's order of 1947 which provided that if an employee with civil service status moved into an excepted position, his civil service protection rights continued. The Eisenhower order terminated such special rights.

Regarding the principle of Schedule C there can be no quarrel: policy-determining jobs ought to be subject to change by a new administration. But where is the line to be drawn? With the intermingling zones between policy and administration growing ever larger, what should be considered as policy determining for classification purposes? I have found the variation in views on this question quite extreme. Among those who take a general position that virtually no jobs below the ministerial level ought to be exempt, one of the basic arguments is that the differences between our two major parties are never "fundamental" enough to inhibit the ability of civil servants to carry out the policies of either party with energy and integrity—that the policy leeway allowed to any new administration is basically not very broad. But what is "fundamental"?

The new President seems to believe that the difference between his and the preceding Administration is quite profound. In late July he told a press conference, in which he was asked to appraise his first six months in office: "You could see that there was a very, very great, almost revolutionary activity necessary to pick up where others had left off and to begin again because there were opposing policies and ideas coming in after twenty years of another type of philosophy."³

While the President appears to speak too broadly, it is just as easy to under-rate the differences between the parties—or at least between Presidents—on particular issues. Since employees administer particular programs, it is particulars which count. The degree of difference varies widely among departments and among smaller units. Differences on public power, land management, health insurance, public housing, and similar unresolved issues are real and great enough to appear quite fundamental to those directly engaged. They are fundamental enough to raise reasonable doubts whether a person whose emotional and intellectual resources have been absorbed in advancing a particular policy can suddenly reverse his course effectively. Even with the utmost good will, unintentional resistance could overwhelm the drive for change in such areas.

This problem would be relatively small in the Department of Defense, for example, where general agreement on objectives is accepted, however bitter the debate on the appropriate size of the Air Force or Mr. Wilson's wisdom in curtailing some of the research and development work. The problem is probably negligible in purely technical units like the Weather Bureau, although one is continually finding that there are more political issues even in such units than one had imagined.

Such differences indicate that no sweeping generalizations can safely be made. They explain in large measure varying types of personnel actions which have been taken among different agencies. They explain why no convenient formula for "how high shall civil service go?" can be equally valid in all cases and why personnel policy must be viewed in its political context. The question,

³ *New York Times*, July 23, 1953.

for example, whether the position of bureau chief belongs in the classified service is too abstract; the real question is *what* bureau? I have found few who do not agree that at the present time the head of the Bureau of Land Management is a policy-determining position in an extremely controversial area and that it does not now belong in the classified service. However, few would contend that the head of the Bureau of Standards should not be in the merit system. Similarly, it is noteworthy that three out of the four Administrative Assistant Secretaries, posts which were widely regarded as too high for civil service at the time they were blanketed in, have not been touched while lower jobs have been changed. The important consideration is the character and environment of the particular position, not how high it is.

Quantitatively the significance of the new Schedule C appears to have been greatly exaggerated. One heard estimates running into the thousands regarding the number of jobs which would be transferred from the competitive service. The final returns are not yet in, but it now seems clear that the figure will be much lower. At the end of January, 1954, the Civil Service Commission had approved a total of 236 jobs for transfer from the competitive service. A considerable proportion of these were of the confidential variety, private secretaries and chauffeurs. The total number of Schedule C positions approved at that date was 879, but of these 197 were newly created positions and the remainder, 446, had been in the non-competitive Schedules A and B. The Commission had turned down 929 agency requests for Schedule C positions; of these, 102 were rejected twice.⁴

It is my impression also, as it is that of the director of the National Civil Service League, that most agencies have been scrupulous as to the number of Schedule C requests made to the Commission, but in this, as in other personnel actions, the variation is great. As suggested earlier, the greatest push towards change has come from the agencies most actively involved in controversial domestic policy issues. Interior, for example, asked for almost 400 Schedule C jobs (the great majority of which the Commission rejected), while Defense, with over half the classified jobs in the federal service, asked for only 52. The latter request may be considered somewhat more representative.⁵

⁴ In its December, 1953 report the National Civil Service League commented on Schedule C as follows: "If this category is honestly used to unblanket from civil service protection those jobs which are truly policy-making, rather than removing them for patronage purposes only, the career system will have been strengthened. To date the CSC has exercised proper discretion in placing positions in this Schedule. It is also making progress toward setting up basic workable standards for distinguishing between these two types of positions." Some Republican members of Congress have voiced criticism of the Commission's record. On November 10, Congressman A. L. Miller of Nebraska called for Chairman Young's resignation on the grounds that by rejecting more than half the requests for Schedule C positions by federal agencies he was not supporting "the Administration in helping to remove those who would sabotage the very Administration who gave you a job." *New York Times*, Nov. 11, 1953.

⁵ The Department of Labor was attacked by Senator Butler (R., Md.) because he thought it had failed to comply with the spirit of the President's order in supplying a list of only 28 jobs for Schedule C.

Secretary Wilson has bent over backwards to protect the integrity of the civil service; furthermore, he has not held people suspect because of association with the previous regime, even at the political level. He has retained two Assistant Secretaries of Defense and the Under-Secretary of the Army from the previous Administration. Some people have offered the explanation that since the Secretary appears to have taken on a wide-flanked struggle with the military, every effort is being made to maintain full loyalty from the civilian side. Another consideration may have been that the preceding administrators in the department were Republicans.

In Interior, departures and changes have been relatively most numerous. Several incumbent bureau chiefs were not wanted. In almost every case they were offered other jobs in the department. Mr. Day, who was removed as chief of the Fish and Wildlife Service, gracefully accepted a lower post. Mr. Marion Clawson, however, then director of the Bureau of Land Management, refused to change jobs and challenged the Secretary to state specific charges, contending that rules and regulations of the civil service law required such procedure.⁶ Secretary McKay found it sufficient to say: "It is evident that we would not be able to work together in any harmony under these circumstances and therefore your removal will serve to promote the efficiency of the Federal service." Here is a basic issue: Should Mr. McKay have been obliged to retain a man he did not want in the position of director of Land Management, unless and until he could show "cause," that is, incompetence or insubordination?

The actions of the Secretary of Interior in moving firmly to replace bureau chiefs have been explained as follows: First, Mr. McKay was really bent on making what he and the new Administration regard as important policy changes concerning public lands, power, and other functions of the department, which made his position different from that of many other agency heads. Many of the bureau chiefs in these highly controversial areas had voluntarily become public symbols of policy positions wholly contrary to those of the new Secretary. Second, he must have learned that Interior had traditional difficulty in controlling its bureau chiefs, who have had a well-known tendency to operate quite independently, developing horizontal lines to the Congress. Here was a department which graphically portrayed Paul Appleby's allegation that department heads are frequently only fronts for bureau chiefs. This, of course, does not explain why a good many positions below the bureau chiefs have also been placed in Schedule C, in some cases—for example in the Bureau of Mines—with considerable doubt as to the justification. Various parts of the record make it clear that Interior is an extreme example of lack of confidence in the existing organization.

The situations in Commerce and Agriculture are in many respects similar to

⁶ The Clawson case has a special history. He was originally a symbol of the attempt to take land management out of the political battle. He came from the arch-enemy agency, Agriculture, and cut his ties there to take this job which he was given to understand would be in the protected civil service. Hindsight, at least, throws considerable doubt on the wisdom of trying to protect such a job with civil service tenure.

that in the Department of Interior. On the other hand, the upper civil service has remained intact in the Bureau of the Budget, in the General Services Administration, in the Civil Service Commission, and in the Labor Department. The Post Office Department has taken steps to extend its merit system. Substantial personnel difficulties are reported from the Department of Justice, but highly specialized issues enter there in connection with the complicated and legally unclear civil service status of lawyers in the federal government.⁷

The personnel policies of the new Administration have been vastly confused by the sizeable economy measures in operation. In my view, the reductions-in-force, real and anticipated, represent a far more disturbing influence on the civil service than the "unclassifying" of jobs or replacements. The new Administration has been giving federal employees an unremitting psychological pummeling through a constant stream of press releases regarding future budget cuts and releases of personnel. Actually, according to Commissioner Young, the number of job reductions between January, 1953 and June, 1954 will be about 180,000.⁸ A considerable number of these will go by attrition and will not require dismissal of incumbents. This is not a high proportion of federal employment, but somehow the Administration, in its poor employee relations, has managed to make almost all employees feel that their jobs are insecure. Mishandling, and perhaps some deliberate exaggeration for the consumption of the party organization, appear to have caused a large number of ordinary lay-offs to be confused with political job replacement.

The Administration is encountering inevitable criticism for methods of handling reductions-in-force. There have been some improprieties, particularly in the Department of Commerce, but it is my impression that most of the difficulty is caused by problems which long antedate this Administration, reflecting the fact that we do not really have any government-wide career service—each agency's determinations are made independently of what is happening in other agencies—and the fact that Civil Service Commission rules have never laid primary emphasis on merit in determining the order of lay-offs.

The lack of rapport, the distrust, and the breakdown in communication between the political level and the bureaucracy below has not been reflected basically in violent personnel changes. The new Administration is finding it difficult to fill higher posts even when they are vacant. The big change lies more in

⁷ In December, 1953, in the *Roth* case, a Federal Judge sustained the Justice Department and overruled the Civil Service Commission in deciding that lawyers have no protection in civil service, despite President Truman's declaration, in the order transferring attorney jobs out of civil service to Schedule A, that it would apply only to future lawyer appointees and that it would not disturb the status and job rights of lawyers so long as they remained in the jobs they then held. The ruling of the District Court (District of Columbia) is being appealed to the Supreme Court.

⁸ The process of contraction started under the previous Administration. About 51,000 jobs were eliminated during Truman's last seven months, as compared to 105,000 in the first seven months of the Eisenhower regime. The latter figure was in part related to the termination in 1953 of the temporary economic control agencies, such as the Wage Stabilization Board and the Office of Price Stabilization.

the new relationship. In general—and nothing is altogether general in this highly varied picture—suspicion is directed primarily at the type of personnel so prominent in the past 20 years, the “planners,” the “idea men,” the people who translated vague policy objectives into substantive proposals, the intellectuals who kept contriving new ventures and new paths to explore. These people—“egg heads” is now the accepted term—are not in good standing;⁹ they will depart or be quiescent. Insofar as substitutions are being made, the tendency is to seek the efficiency engineer or the management expert—by and large men whose interests or talents differ from those of their predecessors. This means a sharp reduction in the flow of new ideas up from below and an attempt to use the topmost level as the idea center. Or, it has been suggested, it may be consistent with the desire of substantial portions of the new group to see some atrophy in the sources of new plans, programs, and action in government. So far the Administration’s objectives have been mainly negative, and a different type of personnel may be more suitable to that type of outlook. It seems predictable, however, that when the retrenchment stage runs its course and the realities of responsibility force positive governmental action, the Administration may find its own brand of “egg head” indispensable.

The new Administration early encountered the difficulties presented by the veterans preference laws in civil service. It has given evidence that it may seriously grapple with this problem. This is far more important than seems generally realized. Veterans preference is one of the weightiest drags upon the whole administrative structure. Its inflexibilities, its inequities, and its disregard for governmental effectiveness are primary causes of impatience with the entire civil service system and in part account for some of the early attitudes of this Administration as it found that reductions-in-force do not mean that the least efficient can be dismissed. Any honest attempt to deal with the federal personnel issue must grasp this nettle. The President has indicated that he has this intention. It was his personal intervention with the veterans organizations which achieved their assent to the change of law which now requires that veterans must first pass the competitive examinations before their preference points can take effect. If the President can make further progress with the veterans it will be a remarkable achievement.

On the basis of the facts now available, it can be said that the Administration has been surprisingly temperate in its personnel activities, considering the circumstances under which it came to power. There is no substantial evidence, as has been alleged, that there is a movement underway to undermine the merit system. Even as to questionable actions, there is little evidence to support the view that desire for patronage, in the raw sense, has motivated department heads, despite intense pressure from sections of Congress which has not yet abated and which may yet have unhappy consequences. The Eisenhower Administration shows signs of following a conventional cycle. In the early days of a new administration its primary concerns are to gain control of the administra-

⁹ The Undersecretary of the Interior publicly boasted that he had booted out “a group of Ph.D.’s from Harvard and Columbia” whom he found on his staff. *Washington Post*, Sept. 29, 1953.

tive machinery, and to assure loyalty and confidence. In working for these ends, it finds itself obliged to break through some institutional barriers. As time goes on and a sense of being master in one's own house is achieved, the emphasis may again change to increasing the attractiveness and security of government employment, which means a probable expansion of the merit system. But new administrations even in their earlier days of adjustment rarely revert all the way. The net effect of the advances and retreats is that civil service progress is made, and the merit system appeared to be a sturdier and more accepted institution in the closing months of 1953 than it appeared to be in the analogous period of 1933.

IV

Perhaps the most important factor explaining the present attitudes, morale, and effectiveness of government employees is the general environment of repression, suspicion, and contempt for the civil servant which has been building up rapidly and is now prominently pervasive wherever our government is represented, here and abroad. This development, of course, antedates the new Administration. Originally, however, the Administration was in a remarkably good position to take vigorous and effective steps to stop it. It was not to be expected that it would lend comfort to these tendencies and even go so far as to extend the movement within the executive departments themselves. Yet it is hard to recall a time when the prestige of federal employment was at a lower ebb, or to remember when employees were so deliberately cowed through a relentless accumulation of indignities.

The contagious suspicion was symbolized in a memorandum issued in March, 1953 by the Director of the Budget urging all employees to report any behavior of fellow workers that they considered "illegal, improper or detrimental to the interest of the organization." It guaranteed that "in no case will the individual giving the information be embarrassed by disclosure of the source." This brought protests even from the Congress.

The department in which the personnel situation has been most serious is, of course, State. Internal demoralization is evident in both the departmental staff and the Foreign Service. The Secretary has shown considerable distrust of the permanent staff. Widespread concern and resentment developed in the department concerning the extent of authority (now curtailed) conferred on the new security officer. This situation is blamed for the stream of publicity given to the fact that about five persons a week have been fired as security risks, over two-thirds—or one every two days—on grounds of homosexuality. Staff members feel that most of the firings come with insufficient evidence and in any event the publicity is unnecessary and is clearly damaging and offensive to all employees. The morale of the Foreign Service has suffered severely, with varying estimates being made of the extent of damage done to the reporting system from abroad.¹⁰ Certainly continuous "field investigation" of personnel depreciates their standing and effectiveness.

¹⁰ Five distinguished former American diplomats jointly wrote that "a Foreign Service officer who reports on persons and events to the very best of his ability and who makes

While the situation in State is admittedly extreme, the basic factors are in some degree apparent throughout the government. The Administration has seemed to take the view that its status and prestige would be enhanced in accordance with the number of "security risks" it could find and dismiss from their jobs.¹¹ It boasted of and exaggerated the number dismissed for such reasons. Partially as a consequence of this mood, what has come to be known as the "daisy-chain" form of "guilt by association" requires sparser and sparser substantiation. The atmosphere is an inordinate pressure for dull conformity, the emergence of "don't stick your neck out" as a basic guiding principle. The result is that even the more conscientious and able administrators who might welcome them are finding it difficult to obtain courageous or inventive suggestions from staff. The latter concentrates on "second guessing" the administrator, so that any new notions will have to come from him. But, in general, the situation prevents him from rising above the level of information and ideas that come from his staff. At a time when the utmost energy, audacity, and ingenuity are required of Americans abroad, it is commonly reported that federal employees at the edge of the Iron Curtain are at low levels of static ineffectiveness due to all-but-complete breakdown in morale.

The demoralization depreciates even the political appointees. While the professional civil servant may be able to retreat into conformity and riskless routine, the higher executives cannot escape the unnecessary and merciless harassment. This condition has discouraged many able executives from accepting government positions, even for relatively short periods.

The threat to the quality and character of the bureaucracy is grave. Milton Mandell has indicated that the JMA program was still bringing into government its fair share of the ablest college graduates, at least through 1952.¹² This runs counter to the more recent experience of almost all college professors with whom I have spoken. Over two years ago, as devoted a friend of government employees as Thurman Arnold asserted: "The day dream of every government employee is that some day he may get an equivalent job in the industry in the affairs of which he becomes a specialist. This specialized training, leading as it

recommendations which at the time he conscientiously believes to be in the interest of the United States may subsequently find his loyalty and integrity challenged and may even be forced out of the service and discredited forever as a private citizen after many years of distinguished service. A premium therefore has been put upon reporting and upon recommendation which are ambiguously stated or so cautiously set forth as to be deceiving." Letter to the Editor, *New York Times*, Jan. 17, 1954.

¹¹ In the State of the Union Message it was stated that "Under the standards established for the new employee-security program more than 2,200 employees have been separated from the Federal Government." Neither in this statement nor in an earlier White House announcement of October 22, 1953, when the number was given as 1,456, was any distinction made between loyalty and security cases; thus people who drink too much or talk too freely were lumped with those suspected of disloyalty. No distinction was made between those in sensitive posts and those in routine positions. No mention was made of the fact that many of these employees were temporary and were employed pending completion of their investigations.

¹² "The JMA Program," *Public Administration Review*, Vol. 13, pp. 106-12 (Spring, 1953).

does to industry contacts, is the only reason I can think of why a brilliant college graduate with an opportunity elsewhere should enter civil service."¹³ I prefer to think this is a lawyer's hyperbole, but which of the traditional non-material incentives for a civil service career do indeed remain?

V

How should one balance the net effects of the four categories of developments I have discussed? Granting that they are not entirely separable, I regard the formal factors of a protected civil service and tidiness of administrative organization as far less important than the larger political environment and the character of leadership in the executive branch in determining the quality and behavior of the bureaucracy. A career service running up to even the highest administrative levels guarantees nothing but experience. Alone, it cannot assure quality no matter what is done about early recruitment, security, and other material conditions of employment. In a high employment economy, the government must stress non-material rewards to compete successfully for the best people. If these disappear, it is entirely possible that a closed system of early recruitment, planned promotions, and tenure may actually have a retrogressive influence. Formal educational or intelligence quotient requirements will not prove a protection against stagnation. In fact, such provisions may actually promote deterioration by preventing the periodic refurbishing at all levels when political or economic conditions would otherwise make that feasible.

In short, the problem of obtaining and maintaining a vital federal civil service involves far more than the establishment of appropriate procedures and material employment conditions. It is a continuous political problem in the larger sense of the term. The important considerations of civil service rules and regulations must be balanced against the essential conditions of political responsiveness and political purposes. I believe that the President has a professional soldier's respect for an established career service and that this Administration may eventually establish a clean record of strengthening the civil service in accord with purely formalistic criteria. Yet, I would venture that the quality, the role, and the status of federal employment were moving rapidly upward during the days when President Roosevelt was apparently disregarding or even doing violence to civil service criteria, and that they are moving downward today while President Eisenhower is showing a relative respect for them.

In part, this tendency is caused by factors not within the control of the Administration. The federal government undoubtedly acquired an unusually high proportion of the best young talent during the depression years, because business and professional opportunities were scarce and because government was the expanding, exciting, and challenging field at that time. The pendulum now appears to be swinging in the opposite direction towards a lower than normal average talent in new recruits for the federal service due in part to the relative attractiveness of employment opportunities in a full employment economy. But

¹³ "Bullying the Civil Service," *Atlantic Monthly*, Vol. 188, p. 46 (Sept., 1951).

the developments we have discussed will greatly aggravate this tendency and the result is likely to be a severe decline in the quality of personnel in the higher civil service.

In addition to these general conclusions, one may raise a few issues, in the form of hypotheses, which in part relate to factors not directly discussed in this paper but which suggest some broader ramifications of this problem:

1. If new administrations are to be expected to accept a broader area of permanent civil service, reaching to the highest levels of administration, it will be necessary for the President's controls and the control of department heads over their bureaucracies to be far stronger and more direct than they are today. So long as this control is lacking it is probably inescapable that Secretaries will seek to substitute for the machinery of effective control by placing trusted and familiar associates in key posts.

2. The need for strong and undiluted executive control over the bureaucracy has been vigorously emphasized in recent years by students of public administration and was, of course, the central theme of the Hoover Commission reports. However, the kinds of recommendations contained in such reports for improvement of the mechanics offer only morsels of help in this problem. In the absence of a responsible party system, the President will not have the means to control his bureaucracy, and subordinate officials will find that operational effectiveness requires their developing direct lines to congressional committees and nurturing pressure group constituencies. This places a premium on personal identification with the administration and is thus incompatible with the concept of high level permanent civil service.

3. A part of this situation is the absence of a clear acceptance of the bureaucracy as an instrument of executive responsibility. Congress cannot govern. To the extent that it is permitted to assume the power to manipulate executive personnel it can only disorganize the executive. This too reduces the administration's capacity to accept higher levels of career bureaucracy.

4. In general, texts on civil service principles have talked as if size of government and the number of departments, as well as the nature of the party system, make no difference to the validity of these principles. It should be considered whether or not the level to which the career service can reach effectively may not be related to these factors. May not the sheer size of the American government mean either a proliferation of departments or the assumption by lower key officials within departments of a political role similar to that of department heads, if democratic political control is to be maintained? It does appear that the larger a bureaucracy becomes, the more restricted its head becomes in giving orders. The means built up restrict the ends which can be achieved.

5. A civil service system running to top level posts is not obtained or sustained by law or executive order alone; it must evolve out of tradition based on confidence. Therefore, ingredients for its success must include a period of relative stability in size and function of government admixed with intervening turnover in administration. It must also include an understanding of, and a readiness to accept, the obligations which permanent tenure implies for civil

servants. Government officials must be aware that competitive entry into the government is not enough to constitute a "career system."

6. In this era, the desire of executives to replace key personnel is not, and need not be, primarily motivated by patronage considerations or belief in the spoils system. By and large, public administration literature has tended to underrate the importance and value of the appointive and removal function at the Cabinet level. The appointive and removal function is an important political as well as administrative process if accountability is to be clear. Some foreign experience has indicated that over-contraction of this function can be as dangerous as its excessive use. Similarly, no conception of the civil service ought to oblige a political party to keep a civil servant indefinitely in any particular post. Reasonable protection of the man should not include any presumptive rights to a particular job.

A positive government requires a constant flow of policy invention as well as experience from its administrators. Both can be obtained if policy formulation and action can be kept under the official control of the political officers. In the absence of control, even an administration which appreciates the value of experience may feel driven to foresake this asset to strengthen its sense of control.

7. One of the older clichés about bureaucracies is that in a modern complex society they tend to develop a monopoly of technical competence which gives them a dangerous power of indispensability. This is certainly not true of the American experience. On the other hand, there appears to be inadequate appreciation of some of the advantages of the high turnover rates in American bureaucracy. Relevant and direct experience in the general and particular processes of governmental operations are widely shared by persons outside of the government. Protection of the open door toward lateral entry into the civil service at relatively high levels has values which might be considered parallel to the value of career service in the development of a balanced merit system. The frequent interchange between public and private life has contributed to democratization of the nation through wider citizen understanding of, and participation in, governmental activities. We are fortunate that no social, professional, or traditional barriers exist between the civil service and the private citizen; that so many of the latter have seen it from the inside. In a dynamic economy and in an open society there are other choices than a general "spoils system" or a permanent and "closed group" of civil servants.

8. Given the present repressive environment in government, in which the permanent civil servant is quite understandably inhibited from assuming any avoidable responsibility, decision-making, or initiative, might not the effectiveness of the bureaucracy be enhanced by the addition of more relatively footloose citizens who can afford some effrontery and impudence? This, of course, is tackling the problem from the wrong end; it is the atmosphere of repression which should be done away with. But so long as it remains, is not an administrator justified in considering the need for ballast in the other type of personnel?

REPRESENTATION OF THE REGION IN MISSOURI BASIN ORGANIZATION

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Recently two new and important proposals have been made concerning the character of the needed basin organization for the development and proper utilization of the resources of the Missouri Valley. A Missouri Basin Survey Commission was appointed by President Truman in 1952 to make a "thorough re-evaluation of the whole problem." In its 1953 report this survey group recommended the establishment of a federal Missouri Basin Commission with authority to "direct and coordinate the activities of all federal agencies relating to resource development."¹ In December, 1952 the Missouri River States Committee, composed of the governors of the ten basin states, accepted a Council of State Governments' draft of a federal-interstate compact as the desirable framework for basin organization.² Each of these proposals would create a new commission to integrate basin planning and secure coordination among all governmental agencies in the operation of water facilities.

I. THE MISSOURI PROBLEM

At one point in its report the Missouri Basin Survey Commission describes the course of the Missouri as "a crude but large question mark across the surface of one-sixth of the nation" and uses the description to symbolize "the great array of problems which await satisfactory solution in the Basin." Certainly the physical, planning, and policy problems of Missouri Basin conservation and development are difficult enough. What should be the relative priorities in water use and water control in a river basin where there is not enough water to meet all needs but where at times the flow reaches destructive proportions? What is the optimum balance among water uses in a multi-purpose program for the Missouri? What should be the relative role of land management and of large reservoirs and main stem dams? These are only a few in the long list of problems. In some cases a degree of decision has been reached through

¹ Missouri Basin Survey Commission, *Missouri: Land and Water* (1953), p. 265. (The Commission's report will be cited hereafter as *MBSC Report*.) Cf. *The Report of the President's Water Resources Commission*, 3 vols. (1950), Vol. 1, pp. 10-11.

² Council of State Governments, *Revised Draft, Missouri River Basin Compact* (1953). (Hereafter cited as *Draft Compact*.) See *MBSC Report*, p. 249: "The draft compact was discussed by the [Missouri River States] Committee in its meeting at Omaha, Nebr., on December 1, and was approved unanimously with a few relatively minor changes." The authors acted as consultants to the drafting committee which prepared the compact.

the construction of facilities³ or the adoption of a guiding principle.⁴ In many instances, however, the issue is clouded with controversy and doubt.⁵

The complexity of these matters and the size and character of the Missouri Basin pose a major problem of formulating effective decision-making machinery in planning and also in integrating operation of facilities. It is widely agreed that the various programs for the valley should be integrated into a single multi-purpose pattern. Land and water management projects in the basin were developed principally by two federal agencies—the Bureau of Reclamation and the Army Engineers. State agencies and political subdivisions also did some work in various phases of conservation and resource management. The difference in the major purposes of the two federal agencies led ultimately to the famous controversy between them. At this point Congress compelled the first step towards integration through the compromise, composite Pick-Sloan plan, which has been the basic framework for present development of the Missouri Basin.⁶ In essence, the Pick-Sloan plan represents an effort to secure integration while utilizing existing agencies to administer operations in their respective spheres of responsibility. But the integration is neither comprehensive nor tightly geared. It does not include the Department of Agriculture's program for land management, of which only segments have been authorized by Congress.⁷ Nor has the Pick-Sloan plan produced complete cooperation between Reclamation and the Engineers.⁸ The state governments of the basin are not included in any organic fashion in the present pattern, and state influence has been exerted only occasionally and indirectly in these intra-federal quarrels. The most striking example of state influence is perhaps the role generally credited to the Missouri River States Committee in the consummation of the Pick-Sloan plan.⁹ There has been wide recognition of the need for state cooperation in a comprehensive basin program and much stress has been laid upon consultation with the states.¹⁰ However, the principal federal statu-

³ "We recognize one significant difference between the Missouri Basin now and the Tennessee Valley when the Authority was created. Many large projects in the Missouri Basin are constructed or in the process of construction." *MBSC Report*, p. 9. See also *Draft Compact*, p. 1.

⁴ The O'Mahoney-Milliken amendment to the Flood Control Act of 1944 gave irrigation priority over navigation, 58 *Stat.* 887. See also the 1945 Rivers and Harbors Act, 59 *Stat.* 10.

⁵ "Many unanswered questions concern water use, flood control and conservation. Witnesses before the Commission disputed the effectiveness of watershed treatment in flood control. The data that would enable people to agree on this and to give united support to a comprehensive program do not yet exist." *MBSC Report*, p. 223.

⁶ *Report of the President's Water Resources Policy Commission* (1950), Vol. 2, p. 250.

⁷ *Missouri River Basin Agricultural Program*, H. Doc. 373, 81st Cong., 1st sess. (1949).

⁸ Richard G. Baumhoff, *The Dammed Missouri Valley* (New York, 1951), Chs. 10–12, 14. See also Commission on Organization of the Executive Branch of the Government, *Reorganization of the Department of the Interior* (1949).

⁹ "The Committee was instrumental in bringing about the compromise that resulted in the Congressional authorization of the Pick-Sloan plan." *MBSC Report*, p. 249.

¹⁰ *MBSC Report*, Part VIII, Ch. 2.

tory requirement for such consultation on a major phase of basin development is the provision for state review of water control projects and the transmission of state opinions on these projects in reports to Congress.¹¹

In recognition of the incomplete nature of the present integration a forum was established to implement coordination around the basic entente of the Pick-Sloan plan. The Missouri Basin Inter-Agency Committee is composed of the Federal Inter-Agency River Basin Committee and the Missouri States Committee.¹² Within the limitations of the present situation, it has played an important role. Lacking in any legal authority and in any direct institutionalized channel to Congress, the Inter-Agency Committee has been concerned more with assembling recommendations of the various federal operating agencies than with integrating these recommendations into a basic pattern.¹³

Until recently the leading remedy proposed for the present difficulties in basin organization has been the establishment of a federal valley authority along the lines of T.V.A. Under this proposal a single basin agency would displace existing federal operating agencies in the operation of a unified multipurpose plan, thereby putting an end to present intra-federal conflicts and rivalries. It is also argued that such an agency would be more regional in character than the present departmental organization. (The agency would be regional in jurisdiction, but national in character, since it would be an agency solely of the national government.) The authority approach has encountered serious opposition in the basin. As the Survey Commission indicates, a valley authority does not seem politically feasible, whatever its intrinsic advantages or disadvantages.¹⁴

The new proposals of the Missouri Basin Survey Commission and the Council of State Governments both take a middle course and seek integration through planning and coordination, rather than unification, of project operations. The stated objectives of the President's Commission in shaping a coordinating mechanism for the basin represent a definite shift from the authority approach. Two basic objectives are avowed by both new proposals. First, they would coordinate planning and development through a single agency without displacing existing operational agencies.¹⁵ In this connection they also stress

¹¹ Sec. 1 (a), 58 *Stat.* 887, 888 (1944). See also *MBSC Report*, pp. 250-51: "Upon completion of all investigations, and prior to submission of survey reports to Congress, the Chief of Engineers and the Secretary of the Interior must submit a copy of their proposed reports to each affected State. The Department of Agriculture by administrative decision follows the same practice. Within 90 days after receipt of the proposed report, the written reviews and recommendations of each State are submitted to the Chief of Engineers or Secretary of the Interior. These comments are attached to the project report which is submitted to Congress." See also *Report of President's Water Resources Policy Commission*, Vol. 3, p. 520. A similar provision requires consultation with the heads of state agencies concerned with wildlife resources. 60 *Stat.* 1080 (1946).

¹² Baumhoff, pp. 169-71.

¹³ *MBSC Report*, Part IV, Ch. 8.

¹⁴ *MBSC Report*, p. 9.

¹⁵ While this appears to be the Survey Commission's view, some of the group's suggestions move in a divergent or even a contrary direction. At one point the Commission

the impending need for integration in the operation of water control facilities as the construction stages of many major projects approach completion. Second, they urge the necessity of giving a voice to the region as well as to the nation in basic policy determination. Since the Survey Commission does not translate its general recommendations into specific statutory language, the extent to which the proposed agency might impinge on the functions of existing agencies in the Missouri Basin is difficult to determine with accuracy. However, if we may assume that these uncertainties are to be resolved in a manner consistent with the Commission's stated objectives, the major controversy is not over the powers of the coordinating agency. The real issue is whether an exclusively federal agency created solely by act of Congress or an intergovernmental body established by federal-interstate compact is most likely to accomplish the agreed objectives.

II. THE TWO PLANS

The Missouri Basin Survey Commission proposed a federal coordinating agency composed of presidentially selected commissioners, who would have to meet the qualification of residence in the basin "for not less than five years prior to appointment." Under statutory provision, the Missouri Basin governors and interested private groups could recommend the names of prospective commissioners and there would be an advisory committee of the governors. The Commission's offices would be located at some point within the Missouri Basin.¹⁶

By and large, the powers of the proposed agency would be of a planning and coordinative nature. Other agencies of the federal government would be required to submit their plans for Missouri Basin projects to the Commission for review.¹⁷ The Commission also would do its own comprehensive planning for the basin, would determine whether the plans of other agencies harmonized with its own proposals, and would make reports to the President and Congress containing its recommendations for basin development and management. As an element of local consent, the proposal would provide that "within a 2 year period of Congressional enactment of legislation creating the Commission each state may decline, by legislative action, to consent to the operation of the Com-

proposes that the new agency operate power transmission lines. *MBSC Report*, p. 232. The new agency would also impinge on the jurisdiction of the Federal Power Commission in at least two important respects: it would have authority to veto FPC grants of licenses for hydroelectric power development projects in the Basin, and it would also be able to review and alter power rates at its own discretion (pp. 265-66).

¹⁶ There would be the usual provisions empowering the Commission to retain a suitable staff and it also would be authorized to borrow or contract for the services of other federal or private personnel.

¹⁷ *MBSC Report*, p. 265. This power of review and recommendation does not extend to any but federal projects. The federal-interstate compact proposed by the Council of State Governments would give the basin agency power to review and make recommendations concerning projects of all governmental agencies and private developments as well. *Draft Compact*, Art. VII, par. 1.

mission in that state."¹⁸ If one or more of the main-stem states of Montana, North Dakota, South Dakota, Nebraska, and Missouri withholds such consent "Congress should determine whether to go ahead with those states that have consented to the Commission."¹⁹

The proposal put forward by the Council of State Governments is contained in a specific draft of a federal-interstate compact.²⁰ This agreement would require assent by the seven principal basin states of Montana, Wyoming, North Dakota, South Dakota, Nebraska, Kansas, and Missouri, and by the United States to go into effect. It would also be open to participation on an equal basis by Colorado, Iowa, and Minnesota—states embracing smaller areas of the basin. It would establish a Missouri Basin Commission by means of a compact to which the United States and the Missouri Basin states would be party. This Commission and the one proposed by the survey group would, with some possible exceptions, have similar powers.²¹ These powers are summarized by the Council of State Governments as follows:

"The Commission is charged with (1) formulating over-all plans for the development of the Basin's waters and land resources; (2) reviewing proposed construction and operational plans to determine whether such proposals are consistent with the over-all plans for the Basin's development which the Commission has approved; and (3) reviewing actual operations to determine whether approved plans are being carried out properly."²²

As regards membership, however, the two agencies would differ markedly. According to the plan advanced by the Council of State Governments, the Missouri Basin Commission would be a joint agency of the federal government and of each of the participating states. Each state would appoint one member of the Commission and the federal government would appoint not less than three nor more than five commissioners.²³ Each of the state commissioners would have one vote on the Commission and the federal commissioners collectively would

¹⁸ *MBSC Report*, p. 8; see also Part VIII, Ch. 3.

¹⁹ *MBSC Report*, p. 9.

²⁰ *Draft Compact*, pp. 4-11.

²¹ See note 15. The meaning of the word "direct" as used by the Survey Commission is also open to varying interpretations because no definition is given. Usually the Survey Commission uses the term in the context of "directing" studies and planning activities. But at one point the term appears in conjunction with the following: "The Commission shall be responsible for carrying out Congressional policies regarding land and water use . . ." and "It shall exercise central control of river operations. . . ." *MBSC Report*, p. 266.

²² *Draft Compact*, p. 3. All review procedures under the compact are limited to cases of "substantial effect on interstate relations in the use of water." The proposed Commission would have power to "Issue rules and regulations governing the submission of project plans and operations to it and in such rules and regulations may establish principles for determining what constitutes 'substantial effect' . . ." (Art. VII, par. 7).

²³ *Draft Compact*, Art V, par. 1, reads in part: "The Commission shall be composed of one Commissioner from each party state designated or appointed in accordance with the law of the state which he represents and serving and subject to removal in accordance with such law, and not less than three nor more than five Commissioners of the United States designated or appointed by the President in accordance with the applicable laws of the United States and serving and subject to removal in accordance with such laws."

have a number of votes equal to the total possessed by all the state commissioners present at any meeting of the body. These federal votes would be cast as a unit unless Congress should specifically provide that they be cast in some other manner. In any event, the result would be to give one-half of the voting strength to the states in the basin and the remaining one-half to the federal government. No action of the Commission would be effective or binding unless it received at least three-quarters of the total vote cast.²⁴

III. REPRESENTATION OF THE REGION

Adoption of the Survey Commission plan probably would make a unified and comprehensive plan of federal action in the Missouri Basin possible. The new all-federal agency would have the power to produce such a plan and to keep it current. It would also be able to exclude non-conforming projects and programs of other federal agencies from its own recommendations. Congress could view the federal Missouri Basin program as a whole instead of as a segmented bundle of power dams, flood control reservoirs, gully elimination projects, and irrigation ditches. It would then be in a position to shape legislation in the direction of a coordinated development program.

But the proposed administrative pattern has a serious weakness. It deals with only a part of the problem. As the Survey Commission itself points out, the states are also doing natural resource work. Moreover, the Commission recommends that the states in the future spend considerable money²⁵ for resource development and management in the basin and that they make important changes in their laws.²⁶

Even if the proposed all-federal agency were to succeed in integrating the activities of the Army Engineers, Bureau of Reclamation, Department of Agriculture, and other federal agencies now in the field, it would have no power to secure integration of the ten state programs or of such programs with the federal efforts. An act of Congress would naturally bind federal agencies. It could not bind the states or their agencies.²⁷ Under the Survey Commission

²⁴ At least five of the seven principal states and one commissioner representing the United States must be present to constitute a quorum.

²⁵ During the fiscal year 1953, the ten states in the basin spent \$36,666,000 on Missouri Basin development. The Survey Commission indicates that in the coming six years the states will be required to spend an additional \$234,445,000. *MBSC Report*, p. 84.

²⁶ For example, the Survey Commission recommends that the states enact comprehensive land use laws and that they review and alter their water laws. It is further recommended that the new basin agency make proposals from time to time to the states for changes in their laws designed to remove "impediments which the laws of the states present to particular projects or to optimum development in general." *MBSC Report*, pp. 17-18.

²⁷ Of course the supremacy clause of the Federal Constitution (Art. VI, sec. 2) provides that national laws shall prevail over conflicting state laws. But this is of significance principally where there is conflict of substantive requirements in areas where the national government is exercising one of its delegated powers. The supremacy clause does not apply to the internal organization and administration of state agencies or to the evolution of positive state policies.

proposal, it seems unlikely that complete integration would take place. For why should state agencies accept and conform to major policy decisions affecting their vital interests if the state governments of which they are part have no responsibility for or voice in the setting of such policies? Why should it be assumed that state legislatures would acquiesce in the recommendations of an outside agency?²⁸ At most the all-federal agency could be expected to bring about only a partial solution of the problem. On the other hand, a compact is not only state law, but superior state law²⁹ and the draft proposed by the Council of State Governments would establish a single legal pattern and a single coordinating agency for all the party states and the federal government.

Even more serious than its administrative shortcoming³⁰ is the failure of the Survey Commission's plan to insure the representation of both national and regional interests in the policy-making process. Its agency would be an all-federal body. Consequently there can be no fear that it would lack diligence in protecting and promoting the national interests. But how are the interests of the region to be represented?

Four devices apparently are intended to produce such representation: (1) the states are to decide whether they want the new agency to function within their individual territories; (2) the agency's offices are to be located in the basin; (3) each of the commissioners would have to be a legal resident of the basin for five years preceding his appointment; (4) the Missouri states' governors would form an advisory committee and might, along with any other public or private organizations or individuals, suggest names of prospective commissioners for the consideration of the President. None of these arrangements permits the region to be more than a vocal spectator to its fate.

The proposal to permit state rejection cannot have any real influence on the policy-making activities of the proposed agency. If the Survey Commission's plan is really the answer for the Missouri Basin, all of the states should accept it. Indeed, if a number of them did not, the new agency would be severely handicapped in its work. But once a state had agreed to accept the federal agency, it could not withdraw. This would mean that subsequent to the Missouri Basin agency's birth, the state would have no power of choice and no possibility of using such power to influence the agency's decisions.

From the administrative point of view, there can be little doubt of the wisdom of locating the agency's offices in the valley. Administrative decentralization, however, is no substitute for grass-roots voting power. Osmosis is not the

²⁸ It has been pointed out that the Tennessee Valley Authority has encountered difficulties of this sort. See Philip Selznick, *TVA and the Grass Roots* (Berkeley, 1949), pp. 169-79. Difficulties are much more likely to arise in the Missouri Basin than in the Tennessee Valley, since the former is larger and more diverse. Furthermore, as the Survey Commission itself notes, there is strong sentiment in the Missouri Basin for regional representation in policy formulation.

²⁹ A state statute which conflicts with a compact is invalid and unenforceable. *Green v. Biddle*, 8 Wheat. 1 (1823); *State v. Hoofman*, 9 Md. 28 (1856); *President, Managers C. v. Trenton City Bridge Company*, 13 N.J. Eq. 46 (1860); *State v. Faudre*, 54 W. Va. 122 (1903).

same thing as representation.³⁰ The reason why state officials reflect regional points of view is that they are responsible to the region's electorate.³¹

The only Survey Commission recommendations which bear substantial relevance to the problem of regional representation in policy making are those relating to a governors' advisory committee and to the method for choosing the new agency's members. At the present time, the ten state governors in the region participate in the deliberations of the Missouri Basin Inter-Agency Committee. There is no reason to believe that they have less influence here than they would have as members of the proposed advisory committee. In fact, the Inter-Agency Committee is an advisory body. Yet the Survey Commission itself rightly says that Inter-Agency is inadequate because it is a debating society without power to formulate its own policies and secure their acceptance.³² It is hard to believe that the governors will have any more influence over basic policy as members of the proposed advisory committee than they now have as participants in Inter-Agency. As representatives of their region, the governors at least have the assurance that Inter-Agency provides a platform from which their views can become widely known. Whether an advisory committee would fare as well is a matter of some doubt. It would be only an appendage of a more authoritative agency and not the principal integrating forum. By very definition, such a committee could be only as active as the all-federal agency wanted it to be. This is not representation. At best it is a hearing at the discretion of the federal agency.

The only other mechanism for regional representation suggested by the Survey Commission lies in the manner of selecting the commissioners who would head the proposed federal agency. All of them would have to be residents of the Missouri Basin. This type of requirement has become a familiar one. That it has political appeal is hardly open to question. But how direct the relationship between local residence and faithful representation may be is a moot point.

Finally, the Survey Commission would specifically recognize the right of the Missouri Basin state governors to suggest the names of prospective commissioners to the President for his consideration. The same right would also be

³⁰ See *TVA and the Grass Roots* (cited in note 28), Ch.7, pp. 262-66; see also James W. Fesler, *Area and Administration* (University, Alabama, 1949), p. 99: "The Valley Authority as presently conceived and as exemplified in TVA is a wholly federal agency that is hierarchically responsible to a nationally elected President and a national Congress. It is not a joint creature of federal, state and local governments of the area, nor is it responsible, in the literal sense of democratic government, to the people of the valley in which it operates. In legal status, it is as much a part of the federal bureaucracy as the Department of the Interior or the Treasury Department . . . accurate analysis of the Valley Authority therefore cannot be based on a glowing conviction that here is the epitome of grass roots democracy." This statement would apply with equal force to the agency proposed by the Survey Commission.

³¹ It is true, of course, that the region's representatives in Congress are also responsible to the region's electorate, but, as the Survey Commission indicates, the objective is a voice for the region at the planning level as exemplified by the proposed agency. See Fesler, p. 143.

³² *MBSC Report*, p. 85.

expressly extended to any other public or private organizations or to any individuals interested in the basin. This proposal may have some value but at best it is an attempt to give the color of local representation without the substance.

IV. THE SURVEY COMMISSION ON COMPACTS

Obviously the compact would give more effective representation to the states of the region than would be possible under the Survey Commission's plan. It would introduce responsible state representatives directly into the policy-making agency instead of permitting them to function from the outside. Nevertheless, the Survey Commission rejected the compact approach by an eight to three vote. It offered seven reasons for its action.³³

The first objection is a legal one. "We are of the opinion," the report sets forth, "that a compact among a selected group of states and the federal government embarks upon a field largely unexplored in the courts. Certainly an attempt to establish a state-federal compact would raise constitutional questions which would require prolonged litigation for determination." Although the Survey Commission gives this contention first place among its reasons for disapproving the compact approach, the report does not indicate what the constitutional problems may be.

As a matter of fact, the constitutional principles involved are simple and all of them have been passed upon repeatedly by the courts. In 1951 the United States Supreme Court reiterated a settled position when it held a compact to be a contract.³⁴ It is hardly a novel proposition that the United States government can make contracts with the states. Moreover, there are a number of presently operative intergovernmental agencies created by compact in whose work the federal government participates.³⁵ Nor is the participation informal in character. It is expressly provided for in the compacts themselves.

Of course, it is also well settled that the contract clause of the United States Constitution does not bind the federal government, but only the states.³⁶ Depending on one's point of view, this may be urged as a weakness in the compact approach. But if it is, the Survey Commission's plan suffers from an equal infirmity. An all-federal agency would necessarily be created by act of Congress. Accordingly, any alteration in the arrangement or even the abandonment of

³³ The views of the Commission majority on the compact approach are stated at pp. 9-11 of the *MBSC Report*.

³⁴ *West Virginia ex rel. Dyer v. Sims*, 341 U.S. 22 (1951). Previous cases on this point are *Green v. Biddle*, 8 Wheat. 1 (1823); *Delaware River Joint Toll Bridge Commission v. Colburn*, 310 U.S. 419, 427 (1940); *Cotton v. Walton-Verona Independent Graded School Dist.*, 295 Ky. 478, 484; 174 S.W. 2d 712, 715 (1943); *Gulf Refining Co. v. Stanford*, 202 Miss. 602, 606; 30 S. 2d 516, 518 (1947).

³⁵ The federal government is represented on the commissions established by the Rio Grande Compact, 53 Stat. 785 (1939); Potomac River Compact, 54 Stat. 748 (1940); Ohio Valley Water Sanitation Compact, 54 Stat. 752 (1940); and the Upper Colorado Basin Compact, 63 Stat. 31 (1949).

³⁶ *Westel W. Willoughby, The Constitutional Law of the United States*, 3 vols. (New York, 1929), Vol. 2, pp. 1253.

the entire Missouri Basin program would require no more than another act of Congress amending or repealing the original legislation.

In the light of well settled law and practice, there does not seem to be any special reason to fear litigation. But even if some phases of Missouri Basin development do give rise to suits, there is hardly a chance that the litigation could involve the agency. As we have pointed out, the proposed agency, whether established by statute or compact, will be a planning agency. Since the preparation of plans, however vital to resource development and management, does not create or infringe any legal right, who would be able to bring a suit? No person may maintain a legal proceeding unless he has an identifiable legal interest. This is not to suggest that a comprehensive resource program for the Missouri Basin can be carried out without litigation, perhaps a good deal of it. However, such litigation will be occasioned by specific measures of Congress or state legislatures enacting one phase or another of specific conservation and development programs. Litigation of this type will concern the substance of enacted law and will in no degree depend on whether the planning behind the statutes was done by an all-federal agency or by a federal-interstate agency.

The Survey Commission's second argument is that a joint federal-state agency would produce situations wherein personnel responsible to the United States government would be under the direction of state officials. As already indicated, half the voting strength on the Missouri Basin Commission would be in the hands of the federal members. Even if all the states in the region were to present a solid phalanx in opposition to federal wishes, they still could not adopt a policy that lacked the approval of the federal commissioners. Moreover, the compact leaves operational activities in the hands of those agencies now engaged in them. Consequently, it is difficult to conceive of any order that the joint agency could give to any federal officer, other than an order to supply the agency with information in his possession.

The Survey Commission's third and fifth arguments emphasize this fear of state control. It is difficult to deal with them directly because the basic difficulty with the Survey Commission's position is that it mistakenly assumes such state control to be inherent in the compact approach. At one point, however, the Commission's report makes an argument that might have substance under other circumstances: "Prosecution of the national interest has always been the primary responsibility of the National Government. It is doubtful if any other governmental level or unit could successfully adjust diverse and oftentimes conflicting state and sectional interests and articulate those interests with national needs." If the proposed Missouri Basin Commission were to be a builder of projects, this might be a weakness. In a planning agency it is reasonable to expect occasional controversies to remain unsolved for periods of time. In view of the importance of the national interest, it may be fitting that national representation should be able to block any action not in accord with the views of the United States government. Similarly, in view of the importance of the region's interest, it would seem appropriate that the opposition

of a considerable number of basin states should be able to compel further consideration of any proposal.

The fourth point made by the Survey Commission is the fact that the federal government will probably spend about seventy per cent of the money ultimately needed for Missouri Basin development projects. This may indeed be a good reason why the United States should have a strong voice in the proposed agency, and it is one of the reasons for the strong voting position proposed for the federal government in the compact. However, it is also fair to point out that the thirty per cent of total expenditures which the Survey Commission expects the region to shoulder should entitle it to something more substantial than an advisory committee. The people of the region have the same interest in the Missouri development as residents of Maine, Florida, or California. But they have also the additional interest that comes from being personally affected. Whatever is done in the Missouri Basin will alter the physical characteristics and economic value of their homes, their farms, their mines, and their factories.

While the Survey Commission constantly reiterates that the national interest can be appropriately represented only by the federal government, it seems to believe that state interests do not have to be represented by the state governments. Its sixth objection to the compact method is set forth as follows:

The proponents of the compact device have made much of the popular demand for local participation in the development of the basin. They contend that this demand would be satisfied by a Governor's representative on the basin agency. We believe that resource development involves issues outside the normal scope of State activity and in some areas, deals with problems which the States have never been able to solve. We believe that the people, through their local districts, associations and organizations, wish to speak for themselves. They have a better understanding of those issues and problems and should have the opportunity to take a more active part in the development program.

The Survey Commission apparently contends that private pressure groups ("associations and organizations") and special districts are more representative of regional interests than the state governments in the basin. In the absence of specific proof, this assertion is difficult to accept. Moreover, the quoted passage makes the rather arbitrary assumption that we can have either state participation or the expression of private views, but that we cannot have both. The proposed compact insures both by giving the states representation in the agency and by requiring the agency to hold public hearings.

Still another point made in the quoted passage is that many of the problems of resource development on the Missouri lie outside the scope of normal state activity and have not been successfully handled by state governments in the past. This is quite true. It is also true that the same charge can be leveled against the federal government with equal justice. Indeed, the inability of the federal government to formulate and execute a satisfactory plan for the Missouri Basin is the very circumstance that prompted the Survey Commission to propose a new agency. Since, as the survey group repeatedly points out, both federal and state governments will have major responsibilities for the

region's development, it would seem only logical that their efforts should be joint in character and that any new administrative organization should reflect this fact.

Finally, the Survey Commission is afraid that the compact will not be able to produce a satisfactory system of voting on the Missouri Basin agency. The report says:

The determination of this matter is subject to negotiation between the States and the Federal Government, but it involves the all-important question of determining the weight to be given to the Federal as contrasted with the States' interest in the development of the basin. This determination, in terms of voting power, would not be simple, and the process of negotiation could easily be snagged on this issue.

The process of negotiating a voting formula is much further along than this statement indicates. The proposed compact contains the specific voting arrangement already described in this article. The principal question raised in the Missouri States Committee was whether the federal representatives should vote as a unit and it was decided that this was a federal matter to be determined by Congress. Accordingly, it would seem overly pessimistic to discount the possibility of agreement.

In urging their plan in preference to a federal-interstate compact, the majority of the Commission argues that the compact involves such difficult questions that it will take many years to secure adoption by the state legislatures and Congress. In view of the need for reconciling the many divergent interests in the basin, it is likely that any proposal for solution of the difficult problem of basin organization will require considerable time to achieve acceptance. This is clearly evidenced by the long history of the Missouri controversy. It is difficult to see how the Commission's plan will gain any great time over the compact. First, the plan has yet to be put into specific statutory language. The formulation of such legislation will itself involve an extended process of negotiation, drafting, and debate. Second, the provision for state rejection contained in the Commission's proposal means that five state legislatures must be persuaded not to vitiate the plan by denying the new agency permission to function in their respective jurisdictions. True, the survey body's proposal only requires acquiescence by five main stem states in order to activate the basin agency, and it provides that if one or more of these states rejects the proposal Congress can determine whether to go ahead with the states that are willing. Are five states enough, let alone a smaller number?³⁷ The Commission minority favors the compact with its requirement for participation by seven states. They point out that the partial coverage of the Commission's plan would violate one of the guiding principles adopted by the survey body: "The program should be comprehensive for the basin as a whole and for all its land and water resources." The minority regard this possibility of a fragmented

³⁷ As has been noted, the compact requires assent by seven states. A table contained in the report of the Survey Commission shows 50% of Kansas and 76% of Wyoming as lying within the Missouri Basin. Participation by these states is required in the compact plan, but not in the Commission proposal. *MBSC Report*, p. 84, Table 1.

pattern of state acquiescence as unworkable. They point out that "In some States the Bureau of Reclamation, the Corps of Engineers, and other agencies would be operating through the majority's proposed commission. In other States the agencies would operate independently and without coordination."³⁸

One of the most surprising contentions advanced by the Commission majority is that "If a compact is negotiated the Missouri Basin states may well find themselves involved in a very real 'superstate' that they can neither alter nor control." After all, the states will be directly represented in the proposed compact commission. Elsewhere the majority alleges that the compact proposal "places maximum control of resource development in the hands of the 10 basin States." The authors regard this contention as equally exaggerated, but in any event the two statements are difficult to reconcile. Once the states have acquiesced in the proposal of the survey group they have no representation, much less control, in the proposed basin agency.

The Survey Commission's observation that the compact lacks flexibility is not supported by the draft of the proposed instrument. The compact contains a clause permitting supplementary agreements on a wide variety of subjects among some or all of the party governments, including the United States.³⁹ Although such agreements cannot violate the basic principles of the original compact, they can be utilized to meet additional needs in all or any part of the basin as these may develop. It is certainly true that a compact among states is binding. But the states are no less bound by the Commission's proposal once they have acquiesced in its operation within their territory, and they are then bound without voice. Moreover, it should be remembered that the party governments can always withdraw from a compact by mutual consent.

All through its report, the Missouri Basin Survey Commission stresses the need for greater state participation in regional development in the Missouri Basin. For example, it says:

It is possible that the States may be isolated from the initial planning phase wherein the pattern of the region's development is set, and yet may participate in the project or detail planning of the means whereby the plan is to become reality. In a political or institu-

³⁸ *MBSC Report*, pp. 13, 14.

³⁹ "Any two or more of the participating states who by legislative action enter into supplementary agreements for the regulation and abatement of pollution may designate the Commission to act as a joint agency for this purpose. Any two or more of the member governments who by legislative action or constitutional authority enter into supplementary agreements for the development, management and maintenance of joint forests, preserves, parks or recreational areas or facilities, or for the development, use and management of water and related natural resources in addition to that provided by this compact may designate the Commission to act as a joint agency for any of these purposes. Except in those cases where all member governments join in such designation, the representatives in the Commission of any group of such designating governments shall constitute a separate section of the Commission for the performance of the function or functions so designated and with such voting rights for these purposes as may be stipulated in such agreement; provided that, if any additional expense is involved, the member governments so acting shall appropriate the necessary funds for this purpose." *Draft Compact*, Art. XI.

tional sense, the 10 basin States constitute, in combination, the Missouri River Basin, and as such they should by all means participate in the planning and determination of the goals of basin development.⁴⁰

Yet the majority report rejects the most essential element in encouraging state action by its failure to grant a degree of state responsibility in the consideration and formulation of policy and program in the valley. This failure to provide for regional representation, through the natural media for such regional representation—the state governments—is the most fundamental difference between the Survey Commission proposal and that of the Council of State Governments. The vital elements of the proposed compact are that it provides for representation of both the nation and the region and that it establishes the basic framework for regional organization in a single document accepted by both the national government and the governments of the basin states and open to further development in the region or any area thereof as need arises. This instrument would meet the need recognized by the Survey Commission when it remarks: "In a regional development program, the States and their political subdivisions must assume an active and responsible role, for they are integral units in the broad institutional framework of regional resource development." In fact, the compact method with its provision for regional representation could be used as the legal framework for any of the several mechanisms that have been proposed for the organization of the Missouri Valley.

As the Survey Commission indicates, rapid action may prove undesirable in the Missouri Basin with its difficult and controversial problems and conflicting interests. A democratic procedure with representation of both the national and regional interests is essential, although at times it is both slow and laborious. The coordinating machinery which would be established by the proposed compact furnishes such a procedure, whatever functions are assigned to that machinery. The Survey Commission's plan does not, however much it may make obeisance at the shrine.

⁴⁰ *MBSC Report*, p. 248.

LEGISLATIVE POLITICS IN CONNECTICUT

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Although there is a voluminous literature on the organization and procedure of state legislatures, material on their politics is relatively sparse. The classic work of A. Lawrence Lowell, now more than a half-century old, still appears to be the chief reliance of scholars in the field.¹ Lowell's thesis was that parties were relatively insignificant in state legislatures; virtually the whole of the subsequent literature agrees with this.² In the case of the Connecticut legislature, it would seem that parties, far from being relatively insignificant, play a dominating role.³

I. THE EXTENT OF PARTY POWER IN THE CONNECTICUT GENERAL ASSEMBLY

The study of party influence in a legislature necessitates a two-level approach: analysis of the role of the party leadership and of the voting behavior of the party membership. Several questions must be answered with regard to the party leadership. Are the party leaders an identifiable and cohesive group? Do they develop a definite program for legislative consideration? Is their authority shared with factional leaders capable of frequent disruption of the party program? Are committee chairmen or party leaders in the stronger position for actually forming legislative policy? Do pressure group leaders work through the formal party leaders or do they attempt to build *ad hoc* legislative majorities for their bills through independent action? Can the majority party leaders put desired legislation through the legislature with reasonable certainty?

Objective answers to each of these questions indicate great strength in the

¹ "The Influence of Party Upon Legislation in England and America," *Annual Report of the American Historical Association, 1901*, Vol. 1, pp. 321-543.

² In a recent survey of legislative politics, Professor O. Douglas Weeks reported that his findings "in general substantiate the statement of Luce that 'everywhere except in New York there is much less partisanship than is commonly supposed' and that 'leadership is rarely now and in our time rarely has been a matter of party control'." See his "Politics in the Legislatures," *National Municipal Review*, Vol. 41, pp. 80-86, at p. 80 (Feb., 1952). William J. Keefe corroborates Weeks' views with regard to Illinois in his "Party Government and Lawmaking in the Illinois General Assembly," *Northwestern University Law Review*, Vol. 47, pp. 55-71 (March-April, 1952). Reports on New York and New Jersey, however, suggest that party has considerable influence in the legislatures of those states. See Warren Moscow, *Politics in the Empire State* (New York, 1948) and Dayton D. McKean, "A State Legislature and Group Pressures," *Annals of the American Academy of Political and Social Science*, Vol. 179, pp. 124-30 (May, 1935). The latter, speaking of New Jersey, comments (at p. 127): "If a group is wise, it goes to the party leaders and not to the members of the committee in charge of the bill. The committee will almost always follow the advice of the leaders. . . . Party control of legislation is therefore much more stringent than in Congress."

³ After looking over materials suggesting the absence of party control in other states a former Connecticut legislator expressed surprise and commented: "I had always supposed they did things the way we do."

Connecticut General Assembly party leadership. Leadership on both sides of the aisle in both houses tends to be highly unified and cohesive. Normally this leadership consists of the state chairman of the party, the governor, a few chosen but powerful outside party leaders (e.g., heads of large city machines and heads of county organizations), and intra-legislative leaders such as the speaker of the House, the president pro tempore of the Senate, the majority and minority leaders, and the chairmen of the most important committees. Choices of these intra-legislative leaders, while formally made through election by the representatives and senators of the party in question, are in reality made by the state chairman and the governor. Assuming equal ability and backing, the chairman of the party *not* holding the governorship is *relatively* more powerful than his opposite number in the other party (by reason, of course, of the absence of gubernatorial competition), although his *real* power is obviously less, since he does not have the patronage and authority of the governorship to back him up. Ordinarily, however, his "suggestions" are enough to assure the selection of approved intra-legislative leaders.

During sessions of the General Assembly the "outside" party leaders are in daily attendance at the capitol and can be seen in corridor conferences with the great and small alike. Each party chairman sits in on his respective party policy conferences and not infrequently he is the real leader of the conference. With few exceptions the men who reach the party pinnacle of the state chairmanship can expect (and they certainly receive) proper deference from their fellows in the legislature, and, significantly, most party chairmen in recent years have been men of considerable experience in the General Assembly. Since about half the legislators of any given session are serving their first terms—with all the confusion that this usually implies—the experience and prestige of the party chairmen are important factors.

The leaders of both parties develop definite party legislative programs covering almost every important issue of state-wide significance, although this does not cover the whole area of potential policy enactments by any means. There is some competition in the formulation and carrying out of this program, of course, as factional leaders in both parties do not always share the relatively uniform views of the leadership on all matters, but these factional leaders are definitely of secondary importance to the party leaders. On occasion factional leaders can effect compromises on certain issues, but instances of outright rebellion are rare and cases of successful rebellion rarer still. Committee chairmen, carefully chosen by the leaders (and not on the basis of a seniority rule), are in a subordinate position; they are contributors to the party program, not successful competitors of the leaders in policy formation. Virtually without exception, pressure group leaders endeavor to win over the party leaders rather than the membership at large.⁴ There is some pressure group effort to "educate" General Assembly members through letters and circulars and conversation, but

⁴ One pressure group representative told the writer that it was useless to ask even committee chairmen to take specific actions, for the inevitable question from the legislator was "What does the boss say about this?"

TABLE I. AVERAGE INDICES OF COHESION* ON ROLL CALLS IN THE CONNECTICUT GENERAL ASSEMBLY: 1931-1951

Year	No. of Votes		Senate Indices		House Indices	
	Senate	House	Dem.	Repub.	Dem.	Repub.
1931	21	18	95.0	98.6	80.8	90.8
1933	88	17	75.1	96.9	91.5	76.1
1935	53	22	81.7	89.8	89.4	81.5
1937	18	13	83.0	81.0	88.0	80.2
1939	49	11	78.6	64.3	91.8	84.3
1941	14	10	66.0	78.2	80.9	76.6
1943	30	17	88.4	88.6	86.8	80.0
1945	10	14	89.9	79.2	87.3	84.0
1947	22	8	90.3	86.2	83.9	77.3
1949	35	14	88.4	79.2	99.7	99.0
1951	8	4	100.0	96.0	52.1	74.5

* The index of cohesion is a measure of the degree of party unity devised by Stuart Rice. See his *Quantitative Methods in Politics* (New York, 1928), p. 209. Rice's formula indicates not only that a certain proportion of the party voted together but also the exact degree to which the party was effectively unified. By first determining the percentage of the party which voted either way on a roll call it is possible to calculate the deviation between absolute cohesion (or unanimity) for an index of 100, and complete disunity (with a 50-50 split) for an index of 0. In other words, a group of 100 persons who voted 75-25 on an issue would have an index of 50, not 75, since their deviation from complete unity is not one-quarter but one-half. The figures used in the table are averages of the several indices of the votes of the session, and therefore provide a fair test of the overall degree of party effectiveness during the session. All record votes for the eleven sessions were used with the exception of 116 marathon votes in the Senate at the opening of the 1935 session, when the major parties were seeking the support of the Socialists who held the balance of power. To have included these would have needlessly inflated the overall percentages for regularity. Unanimous votes are included, though they are infrequent. Special sessions are excluded.

usually this is an effort more to get to the party leaders by indirect means than to build up a majority from the membership contrary to the wishes of the leadership.

Does the voting on roll calls in the General Assembly reflect the attitudes and activities of the leadership? Do the party members vote as a unit when the chips are down and important issues come up for a vote? Or do they freely cross party lines and form factional groups voting with the leadership today and against it tomorrow? As the data in Table I indicate, each party sticks together with a high degree of consistency.

Unlike several other states (e.g., New York and Illinois), Connecticut has no constitutional requirement that every bill be passed by roll-call vote. As a result, there are fewer roll calls than is the case under the mandatory system, but roll calls when used are less likely to be perfunctory gestures and more apt to be

tests of strength either within or between the parties. Consequently the high indices of cohesion of Table I are all the more striking. Note that at the very lowest point for the Senate the average index of cohesion was 64.3 and for the House 52.1—in other words over 75 per cent of the party voted together during their “worst” sessions. The rule, however, is very different from these exceptions, as these averages of all annual indices show:

	Senate	House
Republicans	86.2	82.9
Democrats	82.5	86.7

During one session (1951) no Democratic senator cast a single vote in opposition to his party colleagues.

Unanimous roll calls yield an index of cohesion of 100 for each party. If the average indices included a large number of unanimous roll calls, the high indices would merely indicate concurrence among all legislators rather than the existence of highly disciplined party groups. In fact, only 7.3 per cent of the Senate votes and only 3.3 per cent of the House votes were unanimous. In the Senate, majorities of the two parties were on opposite sides of the question 83.5 per cent of the time and in the House 80.7 per cent. The data in Table II, showing the frequency distribution of the indices of cohesion, further illustrate the consistency of party solidarity.

Unfortunately there are few similar studies with which the Connecticut data can be compared, but where data are available the contrast is striking. A recent analysis of the Illinois General Assembly, for example, which used a different method for computing party cohesion, presents a sharply contrasting pic-

TABLE II. DISTRIBUTION OF ROLL CALLS, CONNECTICUT GENERAL ASSEMBLY, 1931-1951, ACCORDING TO INDEX OF COHESION OF PARTY GROUPS IN SENATE AND HOUSE

Index of Cohesion	House				Senate			
	Democratic		Republican		Democratic		Republican	
	No.	%	No.	%	No.	%	No.	%
90-100	112	75.6	83	56.0	190	54.5	234	67.2
80-89.9	12	8.1	25	16.9	25	7.2	39	11.1
70-79.9	4	2.7	11	7.4	22	6.3	22	6.3
60-69.9	8	5.4	8	5.4	54	15.5	9	2.6
50-59.9	4	2.7	5	3.4	15	4.3	9	2.6
40-49.9	4	2.7	2	1.3	11	3.2	7	2.1
30-39.9	0	.0	3	2.1	6	1.8	14	4.0
20-29.9	1	.7	10	6.8	15	4.3	5	1.4
10-19.9	3	2.1	0	.0	3	.9	7	2.1
0-9.9	0	.0	1	.7	7	2.1	2	.6
	148	100.0	148	100.0	348	100.0	348	100.0

ture of the role of party.⁵ In his Illinois study, William Keefe employs a variation of the "party vote" formula used by Lowell; that is, he calculates the number of roll-call votes "in which 80 per cent or more of one party voted on one side of the question while 80 per cent or more of the other party voted the opposite position."⁶ By this means he found that during the two sessions the percentage of party voting never exceeded 4.4 per cent, whereas similar calculations for Connecticut show that party voting percentages often went as high as 90 per cent and rarely below 50 per cent.⁷

A caveat must be entered, however, about these data. The index of cohesion is a more reliable indicator of party unity than the "party vote" method, and yet either can be misleading. Such statistics conceal the issue behind the roll call; in one sense lumping all votes together is like discussing units of variable volume. One does not speak of a thousand units of wheat where a mixture of grains, bushels, and carloads is involved. In the case of roll-call voting, some votes will be on matters of no consequence to the party; on these the party leaders make no effort to line up their forces. On other votes, highly important matters of policy may be involved, and the leaders may be pushing every member to conform. A party split in the latter type of vote is by no means equivalent to a split in the former type.

Still, corroborating evidence indicates strongly that these average indices for Connecticut do not greatly exaggerate the level of party consistency in matters of general significance to the state. Indeed, for some years the average *understates* the case, since the leadership during these years never lost control on any significant roll call, although some members may have voted contrary to the party position, either because they were given permission to do so (for local constituency reasons) or because (in a very few cases) they were independent enough not to care about the attitudes of their leaders. The effectiveness of the House majority leadership (which except for three sessions in the 1870's has been Republican since the Civil War) demonstrates the point. In the period

⁵ Keefe, "Party Government and Lawmaking in the Illinois General Assembly" (cited in note 2).

⁶ *Ibid.*, p. 58.

⁷ Congress presents another striking contrast. V. O. Key, Jr. in his *Southern Politics in State and Nation* (New York, 1949) studied congressional roll calls in both houses and found (p. 370) that for the sessions studied during the 1930's and 1940's the Senate and House had the following "proportion of roll calls on which each [party] registered an index of cohesion of 70 or more (an equivalent of an affirmative or negative vote of 85 per cent or more of the group)":

	Senate	House
Republicans	32.4%	53.8%
Democrats	21.6	43.6

Compare this with data similarly calculated for the Connecticut General Assembly for the period 1931-1951:

	Senate	House
Republicans	85.4%	79.7%
Democrats	68.7	85.1

1931–1951 there were four sessions (1931, 1939, 1945, 1949) when the Republican leadership never once failed to push through any bill put to a record-vote test; yet the average indices of cohesion in these four sessions show something less than perfect consistency. During these years the will of the leadership prevailed on every single vote of significance to the party, and this does not mean party and patronage matters alone, but matters of general social and economic policy as well.

The effectiveness of the Republican leadership in the House is also shown by examination of the bills which they *could not* get through the House. Between 1931 and 1951 there were 148 roll-call votes in the House, and of all these (if we exclude for the moment bills on which the party did not exert pressure—women jury service, birth control, gambling and horse racing) there were only seven bills on which the Republican leaders either needed Democratic help (one bill) or failed to carry enough Republican votes to win. One of these losses was erased after a day's effort by the leaders to bring their people into line. There was then a net total of 6 losses out of 148 possibilities. Equally indicative is this fact: of these 148 roll calls there were but 26 on which there was a divergence of more than 10 per cent of the Republican membership from the position taken by their leaders.

We are often assured that in the state legislatures the party's influence in matters of purely party concern—e.g., patronage—may be high, but that the party only infrequently musters its strength on matters of broad governmental policy. During the two decades under study, however, the greatest dissension was caused not by broad policy issues but by matters of concern to the party organization *qua* organization. At least 9 of the 26 issues noted above (on which there was significant party cleavage among House Republicans) were concerned with general patronage matters, specific appointments, or other intra-party squabbles. The remaining bills were labor and agriculture bills and two proposals to change the state legislature—all issues which caused friction between the component segments of the party.

The evidence leads inescapably to the conclusion that the membership of the General Assembly has relinquished to the leadership the power to formulate substantive policy decisions. Yet the formulation of these policies is inevitably a compromise reflecting the different components of the parties. At times, when contentious issues threaten to pull the party apart, the leaders will refrain from pressing the matter to a vote. Groups within the party are thus not powerless when matters of importance to them or their constituencies arise, and yet with all the compromising within and between the parties, the final and almost invariably binding decisions are made by the party leaders themselves, not by isolated leaders of blocs, whether regional, social, or economic.

II. THE BASES OF PARTY CONTROL

Why does party leadership dominate the scene in Connecticut? How have the leaders arrogated to themselves this measure of authority over policy enactments? These are questions not easily answered; however, the following are

all contributing factors even though they may fall short of complete explanation.

Party Strength. Organizationally speaking, Connecticut parties are strong. As the only state which has not yet adopted the party primary election, Connecticut finds that the convention method of nomination of state and local officers has helped maintain leadership control of the party organization. While it is true that a primary does not give the voters "control" over a political organization, still the primary introduces an "outside" influence so far as the inner organization is concerned—it establishes a permanent *modus operandi* for factional rebellion, something not readily available under the convention system. As a consequence Connecticut parties tend to be strong at the apex, and, needless to say, the top management of the party concentrates upon the activities of the General Assembly.

Party Competition. In social group behavior it is common for sharp competition between groups to stimulate high levels of cohesion within the groups. The very struggle for power tends to emphasize the need for internal unity. In part, however, this depends upon whether there is a real opportunity for gaining power, and in Connecticut the battle between the two parties is remarkably even. Nearly all state elections over the last two decades have been decided by very small margins. (Of the last 11 gubernatorial elections, 9 have been won by margins no greater than 2 per cent of the total vote cast.) Winning these elections—especially those for the governorship—is important to the party since it means patronage, prestige, and political initiative. General Assembly members—who are, after all, politicians—are anxious for victory at the polls and thus during legislative sessions much corridor talk is concerned with the possible public impact of the party program. In regular caucus meetings (toward the end of the session caucuses meet almost daily), appeals to the members in terms of the next election are not uncommon. Other things being equal, this can have a considerable effect.

Ideological Similarities. There are broad areas of ideological agreement within each of the major parties in Connecticut. This is an important consideration, since obviously the degree to which any group can be held together in their actions will depend upon the area of agreement prevailing within the group. Sharp differences of opinion—such as the existence of conservative Democrats in the congressional Democratic party—naturally make it difficult to present a united front. But in Connecticut there is no group to compare with the Dixiecrats in the Democratic party and no La Follette, Norris, or Morse among the Republicans. The general division of the two parties along urban-rural and -suburban lines (Democrats, urban; Republicans, rural and suburban) has tended to produce a cleavage along liberal-conservative lines, which, of course, facilitates the task of the party leaders in getting party unity.⁸

⁸ It is also worth noting that there is little sectional cleavage in the state, since Connecticut is small and does not have any large city dominating the rest of the state as in the case of Massachusetts, Illinois, and New York. Thus, again, the divisions tend to follow party lines, not extraneous factors.

Party Discipline. As a final resort, party leaders in Connecticut will at times discipline legislators either because of factional shifts which cut the ground from under the individual or because of disloyalty to the party program. Discipline can extend to a denial of renomination for the General Assembly and, of course, denial of higher offices on the state level, but in more subtle ways it can make the individual very ill at ease while in the legislature, both through social pressures and through refusal to grant legislative time for pet projects which the legislator wants to enact for his home town. Disciplinary action is not brought against every legislator who happens to step out of line (for some, refusal of renomination would be impossible, since they control the local nominating caucus), but for a good many legislators, and especially the ambitious ones, it remains a fearsome weapon and its ominous existence in the party armory is not easily forgotten.

In view of the widely held notion that parties are of minor influence in the state legislatures, what is the significance of the Connecticut situation? Is it only the exception which proves the rule? Perhaps this is the case, but the writer is not convinced. Even assuming the accuracy of Lowell's description of the legislature *circa* 1900, half a century's political change must be accounted for. The extraordinary degree of party influence in Connecticut suggests the need for further empirical analysis, since what little evidence we have on the contemporary situation is conflicting.

"REFLECTIONS OF A LAW PROFESSOR ON INSTRUCTION AND RESEARCH IN PUBLIC ADMINISTRATION": AN EXCHANGE

Published below is a discussion by Professor Joseph P. Harris of Kenneth Culp Davis' article, "Reflections of a Law Professor on Instruction and Research in Public Administration," which appeared on pages 728-52 of the September, 1953 issue of the REVIEW. Professor Harris' comments are followed by Professor Davis' reply. (Ed.)

Teachers of public administration will welcome the challenging and provocative article of Professor Kenneth Culp Davis, "Reflections of a Law Professor on Instruction and Research in Public Administration," which appeared in the September issue of the REVIEW. It is my purpose to reply to some of his criticisms, to agree with him in some regards, and to discuss some of the issues which he raises. I am in entire agreement with him about the merits of the case method in teaching public administration, and I imagine that there would be little disagreement by other teachers of the subject, though as yet the collection and publication of cases suitable for undergraduate instruction has not reached the point where the use of texts of the conventional type may be discontinued. One of the first efforts to prepare and publish cases on public administration was undertaken fifteen years ago by the Committee on Public Administration of the Social Science Research Council when I was a member of its staff, and resulted in three volumes which were published in 1940 and the following years. The Stein collection is a vast improvement over the earlier case studies, and is being widely used, particularly in graduate courses. The cases were produced by the cooperative efforts of teachers of public administration at a number of leading universities.

In most undergraduate courses on public administration, however, I assume that one of the standard texts or books of readings continues to be used, and the Stein collection is used, if at all, only as supplemental readings. Despite Professor Davis' strictures to the contrary, there are a number of excellent texts on the subject, which would compare favorably with texts in other fields, and especial mention should be made of the three outstanding books of readings and materials on public administration—by Lepawsky, Nigro, and Waldo—which have recently appeared.

The method of instruction in public administration is attacked by Professor Davis on the ground that it is "plain exposition in summary form, mostly abstract and general. Problems are almost entirely absent. Even the occasional illustrations tend to be abstract or general" (p. 729). To support this sweeping generalization, he quotes three sentences on the subject of judicial control of administration taken from the text by Professor White, and refers briefly to President Conant's criticisms of the Harvard School of Public Administration in his last report. And yet throughout his article Professor Davis takes writers in the field of public administration to task for making generalizations not based on intensive study of the subject!

The conventional method of instruction in public administration is only partially reflected by the standard texts which are used. As a teacher of the subject over a period of thirty years I would hesitate to venture generalizations about the methods used by others, for unquestionably they vary considerably from one institution to another. I assume that instructors usually assign as supplementary readings materials drawn from an extensive literature on the subject—official reports, studies and surveys of government operations, and many monographs and articles dealing with individual agencies or particular aspects of administration. The Hoover Commission reports, for example, are only one of a series of such reports dealing with the national government; there are many similar studies dealing with state and local government, and many official and unofficial studies of particular agencies or operations. Perhaps if Professor Davis had selected for analysis some of the notable monographic studies of particular aspects of administration published recently by such scholars as Appleby, Buck, Carpenter, Dimock, Emmerich, Fesler, Gaus, Gulick, Graham, Hardin, Huzar, Key, Kingsley, Latham, Lepawsky, Lipson, Maass, Macmahon, Mansfield, McKinley, McConnell, McCamy, Millett, Pritchett, Reining, Simon, Stone, Tead, Waldo, White, and Wilmerding—to mention some of the leading authors in the field—he would have gained quite a different impression of the research and writing on public administration. The generalizations contained in the texts are not pulled out of thin air, but for the most part are based upon an extensive body of careful, detailed, scholarly studies. This is not to say, of course, that we do not need much more intensive research. We are barely on the threshold of a scientific study of public administration.

To illustrate the type of abstract and inaccurate generalizations found in public administration texts, Professor Davis cites the following passage from the work of Professor White: "The foundation of judicial control over administrative acts rests in the Anglo-American doctrine of the rule of law," which is followed by a quotation from Dicey that every official from the Prime Minister down is responsible before the courts. This rule of law, states White, "has been universally accepted." Such a generalization, Professor Davis contends, has little meaning to the student and moreover is quite inaccurate. He then shows how the subject of the responsibility of public officials for their acts could be much better taught by the case method, using as an example a case brought by the owner of a herd of livestock which was killed on the order of an inspector who found them infected with anthrax. Professor Davis makes a cogent argument for the use of the case method, illustrating how the pertinent problems and effects of a rule of law can be raised for discussion, and cites leading American court decisions which have held that public officers are not liable for judicial decisions, whether made by a judge or an administrator. He concludes that Dicey's famous rule, instead of being "universally accepted," has been generally rejected.

In fairness to Professor White, however, several things need to be said. First, the quotation from Dicey is to the effect that public officials of all ranks are subject to the law, and that their acts are reviewable by the courts. The refer-

ence to the Prime Minister is, of course, inaccurate with respect to tort actions, but this is so well understood that Professor White can hardly be criticized for failing so to state. (Curiously, the Prime Minister of the Province of Quebec in a recent case was held liable in a tort action.¹) Second, Professor White was discussing not merely the tort liability of public officers, but the wider topic of judicial review of administrative actions. Third, he discusses at some length the qualifications which have been made of the general principle, as well as the varying practice, concluding with the following words: "As a result, it is practically impossible to state any general conclusion as to the actual extent or limits of court review of official decisions" (p. 577). Moreover, he also discusses the effects of tort liability on administrative actions, and uses the same illustration of the destruction of diseased cattle on the order of a health inspector. This single quotation hardly supports Professor Davis' sweeping condemnation of public administration texts.

Professor Davis is not accurate in his unqualified statement (p. 731) that Dicey's rule of law has been rejected in England and generally rejected in this country. The principle that the acts of public officials are reviewable in courts of law is still good law in both countries, but with important qualifications which Professor White is careful to point out. In England the idea that municipal corporations are not liable for the torts of their officers never took root. Except in the exercise of discretionary powers, the acts of officers of the Crown have also been generally subject to tort actions, and in 1947 an act was passed by Parliament in which the government assumed liability in such cases. The test in British law is whether in the act complained of the officer was acting within his discretionary powers; unless it can be shown that his act was within the discretion delegated to him, it is reviewable in court. It would appear to the writer that Professor White's discussion of the reviewability of administrative acts by the courts, instead of being "misinformation" and seriously in error, is, indeed, a fair statement of the general principle.

Although Professor Davis does not cite evidence to support his sweeping criticism of public administration texts, and the illustration which he gives is not a happy one, there is nevertheless considerable truth in his accusation. That teachers of public administration are also critical of the available teaching materials is indicated by the cooperative effort which has resulted in the Stein collection of cases. Abstract generalizations, which are a common feature of textbooks generally, fail to provide the student with a clear grasp of administrative processes and behavior, and often fail to raise problems and issues with which he must grapple to understand the subject. To some extent this deficiency is met by the instructor, who introduces actual cases and illustrations in order to make generalizations meaningful. Able administrators, however, have complained to the writer that graduates who have taken public administration courses often have quite inaccurate ideas about how actual administration is conducted.

¹ *Roncarelli v. Duplessis*, 1.D.L.R. 680 (1952) (Quebec Superior Ct., 1951).

Many teachers of public administration have been dissatisfied with the emphasis placed in texts on the staff functions of government—personnel, finance, planning, public relations—and with the inadequate treatment of policy preparation and determination and of the impact of politics on administration. The student preparing for an administrative career needs the kind of education which will enable him to assist in the preparation of public policies. This is more important than training in classification or budgeting techniques. It is not easy, however, to prescribe the kinds of instruction which will be of greatest value to the student in preparing him for future assignments dealing with program and policy development. He needs, among other things, an understanding of the legislative process, the role and techniques of pressure groups, and the factors which influence public opinion, and at least some acquaintance with economics, statistics, sociology, and American history. Since almost every act of the public administrator is affected by legislation and by judicial decisions, he needs instruction in constitutional and administrative law. Perhaps most of all he needs to develop skills in analysis and effective writing.

All of this may be summarized by saying that the future administrator needs above all else a broad, liberal education rather than an excess of instruction in administrative techniques and methods. He needs not only to develop an inquiring mind, but also to have his interest in public affairs aroused. The rewards of the public administrator are to be found in human satisfactions derived from participating in significant public programs, rather than in monetary compensation. In this regard public administration texts deserve praise, for they treat the public service as a worthy profession, and not, as often represented, as corrupt and contented. To a considerable extent they indicate standards of desirable practice—"what-to-do"—which Professor Davis significantly suggests should be taught to future lawyers.

Professor Davis criticizes the literature of public administration for relying unduly "upon abstraction and perspective, and not enough upon close investigation"; for studying the forest as "patches of green on the hillsides" instead of concentrating on the trees. As evidence in support of this general criticism, he cites and discusses in some detail the part of the *Report* of the President's Committee on Administrative Management in 1937 which relates to independent regulatory commissions. This part of the *Report* of the President's Committee, it may be noted, occupies three printed pages—hardly an adequate sample of writings on public administration. Furthermore, the *Report* was in no sense a research study, and no one ever asserted that it was. The terms of reference of the President's Committee on Administrative Management in 1936 were quite different from those of the Hoover Commission eleven years later. It did not undertake an intensive study of the numerous departments, commissions, and other agencies of the federal government, nor did it offer specific recommendations concerning needed changes in their organization and administration—a task which it considered beyond its facilities and allotted time. The Committee believed that it would be impracticable to attempt at one time the detailed and intensive studies of the vast federal government which should pre-

cede specific changes in organization and procedures. It regarded this job as a continuing one which should be recognized as a function of management, and accordingly recommended that the President and other executive officers of the government be equipped with the necessary staff and with legislative authority to make such studies from year to year, and to put into effect needed improvements under suitable safeguards.

One may disagree with this position of the Committee, which was basic to all of its recommendations, but criticism of it for failure to make intensive research studies, which it never claimed to make, is hardly justified, particularly since it specifically recommended that such studies be made before reorganizations or other changes were put into effect. The Committee had a research staff of about twenty persons for a period of approximately two months. They were specifically instructed not to conduct research studies, but rather to prepare exploratory studies and memoranda concerning areas in which improvement in organization and administration were thought to be needed. In almost all instances they were persons who had already carried on research in the subjects to which they were assigned. Many of the memoranda were subsequently published, though this was not originally intended. A number were excellent studies, but this was possible only because the authors were already familiar with the subject. The total expenditures of the Committee were less than \$60,000, which may be compared with an expenditure of several million dollars by the Hoover Commission.

Professor Davis attacks the findings and recommendations of the Committee with regard to independent regulatory commissions as ill-conceived, theoretical, impractical, "naive," and not based on careful study of the actual operations of the commissions. The major recommendation of the Committee concerning independent regulatory commissions was that Congress should stop creating them, for if the recent trend continued it would not be long until there would be fifty or more such commissions, insulated to some extent from executive direction and coordination. In this recommendation the Committee was following a well-beaten path, for many surveys of state government contained similar findings and recommendations. It criticized the delegation of executive functions to such commissions—"duties of administration and policy determination with respect to which they ought to be clearly and effectively responsible to the President"—but recognized that with respect to their judicial functions "they ought to be wholly independent of the Executive" (*Report*, p. 36). Although the Committee made no specific recommendation for the reorganization of individual commissions, it put forward as a "possible solution" a proposal that their administrative functions be separated from their judicial functions, with the former being placed under executive control and the latter remaining independent.

Much of Professor Davis' criticism of the President's Committee *Report* was directed not at the *Report* itself, but rather at certain statements found in the staff study of Professor Robert E. Cushman, which was published later. The

staff studies should not be confused with the *Report* of the Committee. It should be noted that Professor Cushman continued his research on the subject, at the suggestion and with the aid of the members of the President's Committee, and in 1941 published a volume, *The Independent Regulatory Commission*, which deals with the experience both in this country and in Great Britain.

Professor Davis asserts that this plan "crumbled" under the scrutiny of congressional committees as soon as the "rudimentary facts about adjudication were brought out," and that Dr. Gulick, testifying for the Committee, could not answer "even the simplest questions about specific application of the broad proposal" (p. 736). This is harsh condemnation of the Committee and its *Report*. Dr. Gulick testified before the Select Committee of the Senate that a careful study of the work of each commission would be necessary before making any attempt to reorganize its activities along the lines suggested by the Committee, and that no single plan could be applied to all commissions—a position entirely consistent with the recommendations of the Committee. Congress was unwilling to grant to the President the authority to reorganize the independent regulatory commissions, but the *Report* of the Committee has evidently had considerable effect in halting the trend to create additional commissions, and when Congress established a new regulatory agency in the field of civilian aviation, it followed, in the main, the recommendation of the Committee. It may be noted that when Congress enacted legislation providing for the regulation of civilian aviation in 1938 (52 Stat. 973), it followed, in the main, the plan recommended by the President's Committee. Executive functions were segregated from judicial functions and were placed under an Administrator who was made directly responsible to the President and largely independent of the regulatory body, though placed within the Authority. By the Reorganization Plans of 1940 the Authority, including the Administrator and the members of the regulatory body (now designated as the Civil Aeronautics Board), were placed in the Commerce Department. The principal effect of this change was to place the Administrator under the Secretary of Commerce. The Board retained its independence, which is in conformity with the broad recommendations of the President's Committee.

It is significant that the Hoover Commission, whose studies and *Report* Professor Davis commends, made a similar, though less sweeping recommendation, that executive functions be taken out of the independent commissions and be transferred to the appropriate executive department. The Task Force Report on *Regulatory Commissions* stated: "The very qualities which make these agencies valuable for regulation, especially group deliberation and discussion, make them unsuited for executive and operating activities Ordinarily, we believe, such operating functions should be placed in the regular departments where they may be carried out under executive supervision and responsibility" (p. 30). And the Commission itself stated in its report on *Regulatory Commissions*: "Purely executive functions too frequently have been entrusted to these independent regulatory commissions. The consequences have

not been too happy, for a plural executive is not the best device for the performance of operations duties. Moreover, these duties commonly call for close integration with the broad programs of the executive program" (p. 11).

Throughout his article Professor Davis accuses writers in public administration of using abstract theory and sweeping generalizations without thorough and intensive factual studies. He is particularly critical of the President's Committee on Administrative Management for its statement that the creation of regulatory commissions outside of the executive branch does "violence to the theory of the American Constitution that there should be three major branches of the Government and only three." Where, inquires Professor Davis, is the proof that there should be only three? This statement by the Committee lies outside of the field of public administration; it is rather an interpretation of the spirit of the Constitution. The Committee is entitled to its opinion, and Professor Davis to his, but it is suggested that if he were to pursue his inquiry further he might find more support for the interpretation of the Committee than for his own.

I am entirely in agreement with Professor Davis that intensive research is sorely needed on the actual operations of regulatory commissions and on the broader subject of the regulatory process. It is not always possible, however, to delay recommendations until exhaustive research has been conducted. The recommendations of the Committee concerning independent regulatory commissions and their insistence that further studies should be made before any steps were taken to carry out their proposed plan hardly supports the general statement of Professor Davis that political scientists are prone to accept theory without factual investigation.

I do not care to enter into any controversy with Professor Davis about his charges that public administration texts contain a high degree of misinformation about administrative law, and that the textwriters do not have a basic understanding of the subject. This is not within my special field of competence. My comments relate to the other parts of his article. One constructive result which may come from Professor Davis' article is greater attention to administrative law by teachers of public administration. His excellent suggestions of research topics on the regulatory process indicate his understandable emphasis on this subject, which is closely related to administrative law, but it may be pointed out that this is only one aspect of public administration.

I am in hearty agreement with Professor Davis concerning the importance of instruction in administrative law as a part of the education of future public administrators, but I do not share his views concerning the lack of understanding of the subject by political scientists who offer such courses. I also agree that in this course, as well as in others, the major objective is to impart understanding rather than information. I doubt that there would be any substantial difference of opinion on that score.

It is regrettable that the suggestive and challenging article of Professor Davis, with many major points of which I find myself entirely in accord, is

marred by an unduly critical attitude indicated by his attack on certain passages as well as writers in public administration. I wish to dissent also to his thesis that generalization, theory, and abstractions should be postponed until adequate factual foundation has been laid through extensive and intensive studies of policy making. Factual studies unaccompanied by theory, generalizations, hypotheses, will usually be barren of results.

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Professor Harris seems to be either entirely or mostly in agreement with four of the six major propositions asserted in the six sections of my article, and he neither agrees nor disagrees with one of the remaining two sections.

Although his criticism often has the flavor of disagreement, his apparent disagreement often evaporates upon close examination. For instance, in his final paragraph he asserts "dissent" from my view that generalization and theory should be postponed until adequate factual foundation has been laid. He says that "factual studies unaccompanied by theory, generalization, hypothesis, will usually be barren of results." Although he calls his view a "dissent," we both recognize that theory and investigation must interact upon each other. The position taken in my article is this: "Nor do I deny the utility of perspective or of theory, or of hypothesis based upon perspective. But perspective and theory should not be used as a substitute for detailed facts which a little investigation will make available."¹

Professor Harris expresses "heartly agreement" with my view that greater emphasis should be given to the regulatory process in public administration instruction: "One constructive result which may come from Professor Davis' article is greater attention to administrative law by teachers of public administration." He regards as "excellent" my effort to make constructive suggestions for research on specific political science aspects of the regulatory process. He expresses "entire agreement" with my emphasis upon advantages of the case method of instruction, and he also agrees that that method should not be exclusive. While partly disagreeing, he grants that "there is considerable truth" in my observations concerning undue generalization and abstraction in the texts.

Despite our substantial agreement on such a large portion of the area under discussion, further comment on three questions may be profitable: (1) the incidental point about Dicey's rule of law, (2) the major proposition concerning the President's Committee and independent regulatory agencies, and (3) my section on "Misinformation about Administrative Law," with which Professor Harris expresses neither agreement nor disagreement.

1. Professor Leonard White quotes Dicey for the proposition that "every official, from the Prime Minister down to a constable or a collector of taxes, is

¹ P. 733.

under the same responsibility for every act done without legal justification as any other citizen." Then White says: "This rule was brought to the United States as a part of the common law heritage and has been universally accepted."²

I have asserted that Dicey and White are in error to the extent that "any other citizen" is liable in tort for acts done without justification, but that officials both in England and in the United States are generally immune from tort liability for discretionary acts.³

Professor Harris obfuscates the point by demonstrating, as if in opposition to my view, that courts often review administrative action and that the "rule of law" is not wholly rejected.⁴ His demonstration is not in opposition to my view; I am hardly unaware of judicial review, as nearly half my book on Administrative Law is devoted to that subject, and I agree that, just as we believe in the vague idea of "justice," we believe in the equally vague idea of "rule of law." But what I have called "Dicey's rule of law," that is, the manner in which Dicey makes the "rule of law" specific, is not and never has been "universally accepted." As Mr. C. E. S. Wade said in the introduction to the ninth edition of Dicey's book, Dicey "seems . . . not sufficiently to have regarded the immunities . . . [of] Crown servants."

Professor Harris concedes my principal point when he acknowledges: "The reference to the Prime Minister is, of course, inaccurate with respect to tort actions, but this is so well understood that Professor White can hardly be criticized for failing so to state." I think few readers, if any, will agree that in a student text a statement that is admittedly "inaccurate" is beyond criticism because the truth may be understood in some quarters.⁵

After acknowledging that the statements of Dicey and White were "inaccurate with respect to tort actions," Professor Harris goes on to insist that Dicey and White provided "a fair statement of the general principle." This is the equivalent of saying that even though officers are not liable in tort, it is a fair statement of the general principle to say that they are liable in tort.

2. Perhaps I am at fault in my criticism of the President's Committee on Administrative Management, for I have not succeeded in getting Professor

² White, *Introduction to the Study of Public Administration*, 3d ed. (New York, 1948), p. 575.

³ For a collection of authorities, see Davis, *Administrative Law* (St. Paul, 1951), pp. 801-7.

⁴ Professor Harris is wrong in assuming "that public officials of all ranks are subject to the law, and that their acts are reviewable by the courts." For a collection of judicial decisions, mostly of the Supreme Court of the United States, concerning administrative action which is not judicially reviewable, see Davis, *Administrative Law*, pp. 812-67.

Professor Harris lumps together tort liability of government and tort liability of officers, as if there were no difference.

⁵ Furthermore, Professor Harris misses the crucial fact that Dicey and White were not discussing merely the Prime Minister but "every official, from the Prime Minister down. . . ."

Harris to understand my principal idea. A restatement of my position may therefore be desirable.

The President's Committee proposed to split each regulatory agency into two sections. The Committee (which I have not confused with the staff) said in its *Report*: "The administrative section . . . would be directly responsible to the Secretary The judicial section . . . would be wholly independent of the department This proposed plan meets squarely the problems presented by the independent commissions. It creates effective responsibility for the administrative and policy-determining aspects of the regulatory job and, at the same time, guarantees the complete independence and neutrality for that part of the work which must be performed after the manner of a court."⁶

What the Committee called its "proposed plan" was based upon the erroneous assumption that "policy-determining aspects" could be separated from "that part of the work which must be performed after the manner of a court." The error can be more clearly seen in the language of the staff report on which the Committee's report was based: "The Administrative Section must not do judicial work The Judicial Section must not do policy-determining work."⁷ The objective was to subordinate policy-determining work to the Cabinet Officer and the President, and to maintain independence for judicial work.

Now, the idea that the staff, the Committee, and Professor Harris have apparently failed to grasp is that such a separation is intrinsically impossible because of the simple fact that the issues in the cases to be decided by the judicial section are often policy issues. If the Committee or its staff had made a little investigation, it would have discovered that fact. The Senate Committee quickly discovered the error, by calling in some people who understood adjudication.

Quite significant is the fact that at no point in his long discussion of the President's Committee does Professor Harris even attempt to defend the "proposed plan" on its merits.⁸

Professor Harris says that "the major recommendation of the Committee concerning the independent regulatory commissions was that Congress should stop creating them." Yet a page or so later he says that Congress in creating the Civil Aeronautics Authority in 1938 "followed, in the main, the plan recommended by the President's Committee." The 1938 Act, of course, made the CAA independent, and at all times during and after the five executive reorganizations, the regulatory functions of the CAA and CAB have been exercised by an independent agency.⁹

⁶ *Report*, p. 41.

⁷ *Report*, p. 230.

⁸ Professor Harris says that criticism of the Committee "for failure to make intensive research studies, which it never claimed to make," is unjustified, because the Committee's research staff "were specifically instructed not to conduct research studies." The Committee considered that the *Report* was based upon what the Committee itself at page viii of the printed *Report* called "research studies."

⁹ Professor Harris' statements about the 1938 Act creating the CAA are not in accord

Referring to the recommendation of the President's Committee, Professor Harris says that the Hoover Commission "made a similar, though less sweeping recommendation." The Hoover Commission's carefully-considered plan to transfer certain executive functions to the chairman of each agency has nothing in common with the ill-considered plan of the President's Committee to have adjudication conducted by officers who "must not do policy-determining work." And as for what Professor Harris calls "the major recommendation" of the President's Committee—to stop creating independent regulatory commissions—the Hoover Commission said very simply and without qualification: "This Commission believes that the independent regulatory commissions have a proper place in the machinery of our Government . . ."¹⁰

Professor Harris tries to defend the view of the President's Committee that "there should be three major branches of the Government and only three." He says that pursuing the inquiry further might lead to more support for the Committee's view than for my view.¹¹ It might. But Professor Harris ignores the fact that the inquiry has already been pursued much further than the Committee pursued it and that the findings are overwhelmingly adverse to the Committee. The detailed experience concerning coordination of independent agencies with other units of the government is fully set out in the mimeographed monographs prepared for the Hoover Commission's task force on the independent regulatory commissions. The task force, having the detailed experience before it, concluded that the idea of the President's Committee that independence of regulatory agencies impairs coordination is "based mainly on theoretical or doctrinal grounds and not on actual failures of coordination among agencies."¹² If the President's Committee had followed the method of these monographs—that of systematic and detailed factual investigation—many of its basic conclusions would have been radically different.

3. Professor Harris neither approves nor disapproves the section of my

with the Act, which is printed at pages 973-1030 of volume 52 of the United States *Statutes at Large*. For instance, he says that the Administrator was "made directly responsible to the President and largely independent of the regulatory body, though placed within the Authority." His statement is inconsistent with many provisions, including §§201(b), 204(a), 206, 302(c), 305, and 308. For instance, §206: "The Authority shall make an annual report to the Congress. . . ." The only requirement for a report by the Administrator is §308, which provides: "The Administrator shall exercise . . . such powers and duties . . . as may, from time to time, be assigned to him by the Authority. . . . The Authority may request the Administrator to make reports to it of his work under this Act."

¹⁰ The Hoover Commission *Report* (New York, 1949), p. 429.

¹¹ If, as Professor Harris says, the question is one of "interpretation of the spirit of the Constitution," his position has no support in any Supreme Court opinion, and scores of Supreme Court decisions are against him.

¹² Task Force Report on Regulatory Commissions, pp. 25-26 (1949). It is regrettable that the monographs of the task force have not been printed and that only a limited number were mimeographed, for the literature of political science suffers for want of the information contained in them.

article entitled "Misinformation about Administrative Law." That section may be the most important. I fear that the extreme severity of my criticism may lead casual readers wrongly to assume that my assertions are largely hyperbole. Furthermore, some of the misinformation has been so much repeated in political science literature, one writer citing another, that many readers may be reluctant to believe that it is misinformation.

I hope that political scientists who write about administrative law will carefully examine each of my thirty or forty specific illustrations of misinformation, together with the explanation and documentation, and will reflect upon the reasons that may explain the extent of the misinformation.

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Editor's note: Within the limits of space available, the REVIEW will be glad to publish a limited number of letters or comments relating to the section of Professor Davis' article to which he invites attention in the last two paragraphs of his reply to Professor Harris' discussion.

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BIBLIOGRAPHICAL ARTICLES

SURVEY OF BACKGROUND MATERIAL FOR THE STUDY OF THE GOVERNMENT OF EAST AFRICA

In the political experiment now taking place in East Africa, an attempt is being made to construct a multiracial political community from vastly different and heterogeneous peoples. The experiment, still in its early and formative stages, provides an opportunity to observe at first hand the creation of institutions and the development of attitudes and ideas for establishing a political community—or political communities, as is now the case. In the process, new institutions have been created, sometimes at a rapid pace, while at the same time some of the old tribal institutions have shown a remarkable ability to resist change and to project themselves into modern times with little or no modification. Political ideas imported from Europe and America in the West and from India in the East have influenced the political behavior of Africans, and of Europeans and Indians also; some reactions have been sympathetic while others have been hostile, as in the nativistic uprising of the Mau Mau. With all of the reality of the Mau Mau terror and of the nostrums of political agitators, there is, nevertheless, a vast amount of good will in East Africa, with people there who are willing to teach as well as to learn, to exercise restraint in the awkward manifestations of cultural conflict, and to develop a common pride in a common country.

This bibliography has been prepared to assist students in political science, and other social sciences as well, in securing an understanding of government in East Africa. The bibliographic sources in the United States are considerable, especially in official documentation, but there is a certain unbalance resulting from the paucity of Indian and Arab material and from the relatively meager sources on African social and political institutions. The compilers of the bibliography have been forced to be most eclectic in their selection of sources, for there are few systematic analyses of the area, and little uniformity in the use of concepts. We have drawn on memoirs of travelers and of residents, the monographs of anthropologists, the official records of governmental authorities, and special studies of particular topics in the area.

I. SURVEYS

For a reader interested in a general background of Africa, Lord Hailey's *An African Survey* (Oxford University Press, London, 1938) is unsurpassed. This useful volume is now being revised, and a new edition should be ready shortly. The *Survey* was prepared as an aid in determining the extent to which modern knowledge was being applied in meeting the problems of African development, and as such it is a well-written compendium of information on geography, ethnology, languages, population, political and social objectives, law and justice, native administration, non-European communities, problems of taxation, conditions of labor, agriculture, health, education, and economic development.

The geography of Africa plays such a large part in shaping the social institutions that a general knowledge of it is requisite for all research on Africa.

Walter Fitzgerald's *Africa, A Social, Economic, and Political Geography of Its Major Regions* (Dutton, New York, 7th ed., 1949), is a widely used, non-inspiring introduction to the area, containing a general description of the mineral resources, soils, transportation, and agricultural and economic development. The book is marred by the injection of Fitzgerald's numerous opinions and untested theories on sundry topics, but one may as well take the warning here that much of the writing on Africa has a bias. A revised edition is being prepared by Robert Steel of the School of Geography, Oxford. A more recent geographic treatise by L. Dudley Stamp, *Africa, A Study in Tropical Development* (John Wiley and Sons, New York, 1953), considers the geographical environment for human activity and the responses of various segments of the African population to that environment. It is lucidly written and gives a vast amount of essential background information. The recent volume prepared by a study group of the South African Institute of International Affairs, *Africa South of the Sahara*, edited by Anne Welsh (Oxford University Press, London, 1952), is less detailed. It is concerned with such topics as the physical background of Africa, the population and political framework, agricultural production, economic development, and communications, but it is uneven and incomplete, with a South African orientation. An excellent general introduction to the problems of tropical African resources may be found in the recent work of Pierre Gourou, *Tropical World* (Longmans, Green and Co., London, 1953).

Pictures of African life and of the African landscape are of considerable value in giving a clue to the nature of the land and the people. Although many books have their illustrations, *Focus on Africa*, by Richard U. and Mary Light (American Geographical Society, New York, 1941), has perhaps the most vivid ones. This records the flight in a private plane from Cape Town to Egypt, and there are many aerial photographs of East African scenes. These photographs illustrate in a dramatic fashion the physical layout of African settlement, the effects of soil erosion, and other features of the mainland territories, and there are some inspiring pictures of Kilimanjaro and Ruwenzori. The commentary is entertaining, if not penetrating, and there are factual accounts culled from standard sources.

A general knowledge of the various tribal groupings of East Africa is not easy to come by, for the groups and subgroups are numbered in the hundreds, and there is no good, general ethnographic source for the area. Diedrich Westermann's volume, *The African Today and Tomorrow* (Oxford University Press, London, 3d ed., 1949), is, however, an excellent introduction to the peoples of Africa. *East African Background*, by G. W. B. Huntingford and C. R. V. Bell (Longmans, Green and Co., London, 1950), was written initially for members of the armed forces in East Africa and has since been revised. It is a rewarding volume, giving an outline of the main features of African tribal life and a brief description of the East African tribes. Studies of individual tribal groups are continually being made; some of these are mentioned subsequently in the section on political and legal systems.

The surveys of East Africa proper have been made primarily by the journalist-traveler, and some of these writings are of a high standard. Mrs. Elspeth

Huxley, Kenya-born, has written widely of East Africa, and her book, *The Sorcerer's Apprentice; A Journey through East Africa* (Chatto and Windus, London, 1948), is an arresting account of development and change in East Africa. Mrs. Huxley makes some salty comments, which are not everywhere appreciated, but she has a sharp eye, a broad background of knowledge, and a lively pen which give force to her writing. The most recent commentary has been written by Mona Macmillan, *Introducing East Africa* (Faber and Faber, Ltd., London, 1952); her observations on people, politics, and geography are an excellent introduction for a person unfamiliar with the area. Karen Blixen (Isak Dinesen) has told the story of her life on a Kenya coffee farm in *Out of Africa* (Random House, New York, 1938; Modern Library, 1952). This delightful volume, told with warmth and charm, is recommended as one of the finest pieces of literary writing on the East African scene.

The best single source on Uganda is the work by H. B. Thomas and Robert Scott, *Uganda* (Oxford University Press, London, 1935, 1949), which is both historical and descriptive and contains an excellent annotated bibliography of value for historical research. There is no comparable volume published for Kenya, Tanganyika, or Zanzibar. However, the small brochure published by the Colonial Office, *The British Territories in East and Central Africa, 1945-1950* (Cmd. 7987/1950), is a useful compendium of the developments in the two areas since the war, and one can find an assortment of facts, both useful and extraneous, in *Year Book and Guide to East Africa, 1953*, published by the Union Castle Line (Robert Hale, Ltd., London, 1952).

II. HISTORICAL

A knowledge of East African history is of considerable value in understanding the present, and there are a number of excellent works on European and Arab contact with Africa which supply this need in part. The internal history of Africa has been indifferently developed, but plans are being considered for historians and archaeologists to combine their talents in common research on the topic. As for pre-history, the writings of L. S. B. Leakey are outstanding. The Arabs were in contact with Zanzibar and the coastal areas of what is now Kenya and Tanganyika for several centuries before the Europeans arrived in the fifteenth century. Sir Reginald Coupland, the British historian, has written the authoritative account of this early period in *East Africa and Its Invaders, from the Earliest Times to the Death of Seyyid Said in 1856* (The Clarendon Press, Oxford, 1938). The subsequent period is covered in his volume, *The Exploitation of East Africa, 1856-1890; the Slave Trade and the Scramble* (Faber and Faber, Ltd., London, 1939). A first rate historical work, by Raymond Leslie Buell, is *The Native Problem in Africa* (The Macmillan Co., New York, 1928, 2 vols.). Although outmoded in some parts, this is still a fruitful source of information and contains some 400 pages on East Africa.

European interest in the interior of East Africa paralleled the exploits of the great explorers of the nineteenth century—missionaries, traders and administrators, and individuals in search of adventure. Ludwig Krapf, a German Lutheran working under the aegis of the British Church Missionary Society, has

left us an interesting journal of his life as one of the first missionaries in East Africa: *Travels, Researches, and Missionary Labours, during an Eighteen Years' Residence in East Africa* (Trubner and Co., London, 1860). The volume gives one of the earliest accounts of the social and political organization of East African tribes, and is additionally interesting because of the adventures of Krapf and his colleagues, Rebmann and Erhardt, in discovering Mount Kilimanjaro and Mount Kenya. The diary of John Speke, *Journal of the Discovery of the Source of the Nile* (Harper and Bros., New York, 1864), is a revealing account of Speke's map-less travels through Tanganyika and Uganda in search of the headwaters of the Nile. Speke's description of the social and political organization of the Baganda and other major tribes in Uganda is among the earliest European writings on the people of this area.

The exploits of Henry M. Stanley were outstanding by any standard, and this sturdy explorer was instrumental in shaping the future political development of East Africa. Stanley's first volume, *How I Found Livingstone; Travels, Adventures and Discovery in Central Africa* (Harper and Bros., New York, 1872), manages to give an impression of the character of these two remarkable men whose lives became so strangely linked. Stanley's second African exploration is told in the volume, *Through the Dark Continent, or The Sources of the Nile, Around the Great Lakes of Equatorial Africa, and Down the Livingstone River to the Atlantic Ocean* (Harper and Bros., New York, 1878, 2 vols.). This is more than an amazing adventure story of a brave, autocratic, and resourceful explorer. Stanley's visit to Uganda and his successful appeal for missionaries to come to this area influenced the subsequent development of the region. A third adventure, described in the volume, *In Darkest Africa; or The Quest, Rescue and Retreat of Emin, Governor of Equatoria* (Harper and Bros., New York, 1890, 2 vols.), is an incredible story of politics, jungles, high adventure, and unbelievable personal fortitude. This episode also had political ramifications, and the British shortly thereafter declared a protectorate over Uganda. The story of the German Emin Pasha relief expedition is told by its commander, Dr. Carl Peters, in the volume bearing the preposterous title, *New Light on Dark Africa*, translated by H. W. Dulcken (Ward, Lock and Co., London, 1891). Stanley's journals have been edited by his wife, Dorothy Stanley, in the volume, *The Autobiography of Sir Henry Morton Stanley* (Houghton Mifflin Co., Boston, 1909). The discoveries of Livingstone are less significant for East Africa than for the areas to the south, although parts of Tanganyika were included in his orbit of discovery. See especially *The Last Journals of David Livingstone in Central Africa* (John Murray, London, 1874, 2 vols.).

A convenient anthology of African exploration has been compiled by Margery Perham and J. Simmons from the letters and diaries of eleven British explorers of tropical Africa in *African Discovery: An Anthology of Exploration* (Faber and Faber, Ltd., London, 1942). The anthology includes accounts of the journeys of Speke, Stanley, Livingstone, and Sir Samuel Baker, who discovered Lake Albert and was instrumental in breaking up the slave trade in northern Uganda. An unusual account of one of the most fabulous of the Arab explorers and slave-traders has been recorded by Heinrich Brode, *Tippoo Tib, the Story of His*

Career in Central Africa, translated by H. Havelock (Edward Arnold, London, 1907). The rapacious Tippoo Tib tells of his search for ivory and slaves in what is now Tanganyika and of his associations with Livingstone and Stanley.

The missionaries arrived early in East Africa, and they have played a significant part in its development. One of the best general studies of the role played by the missions is the recent work of Roland Oliver, *The Missionary Factor in East Africa* (Longmans, Green and Co., London, 1952). Many missionaries have left vivid records of their African experiences, but their writings on various tribal groups have frequently been outmoded by time and by later, more rigorous, methodological studies.

Of the early European administrators, one of the most gifted was Sir Harry H. Johnston, who had remarkably developed talents in several fields, an inquiring and disciplined mind, and a facility in recording his materials. Johnston wrote widely, and an indication of the scope of his competence and interest may be seen in the following title of one of his works, *The Uganda Protectorate: an Attempt to Give Some Description of the Physical Geography, Botany, Zoology, Anthropology, Languages and History of the Territories under British Protection in East Central Africa . . .* (Hutchinson and Co., London, 1902, 2 vols.). There are many excellent and rewarding works on this early period which will not be cited here, including those by Lugard, Jackson, Thomson, and Tucker.

III. AFRICAN POLITICAL AND LEGAL SYSTEMS

Detailed studies of pre-European African political systems have been undertaken largely by anthropologists or administrators and less systematic studies by missionaries, traders, travelers, and other persons in the field. For the most part, analyses of political institutions have been subordinated to other interests, and there has been little uniformity in vocabulary, concepts, or methods. An attempt to arrive at some significant generalizations on African political organization has been made by eight anthropologists, whose case studies appear in *African Political Systems*, edited by Meyer Fortes and E. E. Evans-Pritchard (Oxford University Press, London, 1940). The introduction stands as one of the best political essays on comparative politics in the literature.

The cases fall into broad groups. The first group, which includes K. Oberg's study of the Banyankole of Uganda, exhibits well-defined political structures with administrative machinery, judicial institutions, and centralized authority having a monopoly over the use of force. In these tribes there are cleavages of wealth, privilege, and status which correspond to the distribution of power and authority. The second group, which includes the Bantu Kavirondo of Kenya as described by Gunther Wagner, reveals the lack of well-defined political structures and sharp social cleavages. In these societies the lineage and clan system and the age-set system perform political as well as social functions. In the absence of chiefs, the use of force is diffused among the various units of the tribe.

East Africa possesses fewer examples than West Africa of well-integrated kingdoms and empires, and of those which have been studied practically all are in Uganda. In addition to Oberg's account of the Kingdom of Ankole, included in the above-mentioned case study, there is an earlier ethnography by John

Roscoe, *The Banyankole* (The University Press, Cambridge, Eng., 1923). Roscoe spent over twenty-five years in Africa as a missionary, and although his study of the Banyankole is considered by some anthropologists to be incomplete and inexact, his description of the two ethnically distinct classes, the ruling Bahima and the serf Bairu, is more detailed than the Oberg study. Roscoe's *The Bakilara or Banyoro* (The University Press, Cambridge, Eng., 1923) provides a description of another group in Uganda which possesses a well-defined political system with a hierarchy operating under a king.

The Baganda have received greater attention than either of the groups mentioned above. Roscoe's study, *The Baganda: An Account of Their Native Customs and Beliefs* (Macmillan and Co., London, 1911), is mainly concerned with the social and religious life of this people in the pre-European period. A subsequent study by Sir Apolo Kagwa, *The Customs of the Baganda*, translated by Ernest B. Kalibala and edited by M. M. Edel in *Columbia University Contributions to Anthropology*, Vol. 22 (Columbia University Press, New York, 1934), represents an attempt on the part of Roscoe's chief informant to extend and correct the earlier work of Roscoe. Sir Apolo, as former prime minister and regent of Buganda, was uniquely qualified to discuss the elaborate political hierarchy, the land system, and the social structure of his people.

As for the category of tribes which lack well-defined political institutions, reference has already been made to the writings of Gunther Wagner. His longer work, *The Bantu of North Kavirondo* (Oxford University Press, London, 1949), considers such elements as kinship structure, magico-religious beliefs and practices, and the rites which carry out important political functions for tribes lacking chiefs, tribunals, and tribal councils. Another ethnography which includes significant political data is that of Monica Hunter Wilson, *Good Company: a Study of Nyakyusa Age-Villages* (Oxford University Press, London 1951). This describes a field study of a tribe in southwest Tanganyika in which political functions are performed by a combination of the age-sets and the kinship system. Although certain methods for maintaining order are regularized among the Nyakyusa age-villages, well-defined centralized authority is absent.

Among the Kikuyu and the Kamba, two of the largest tribes of Kenya, the system of institutionalized age-set of elders was formerly the core of the political system, with the elders, organized into councils, arbitrating disputes and exercising religious functions. Chiefs, as such, did not exist. This system, based on territorial districts, was supplemented by the kinship structure which cut across the territorial units. Many conflicts were resolved by the clan or, when more than one clan was involved, by a system of blood feuds and compensations.

John Middleton's *The Kikuyu and the Kamba of Kenya*, Ethnographic Survey of Africa, Vol. 2, Part 5 (International African Institute, London, 1953), surveys the various studies which have been made of the Kikuyu and the Kamba, notes the areas of agreement among the scholars, and gives a precise account of the political and economic structures of the groups. Jomo Kenyatta has written of his own people in the volume, *Facing Mount Kenya: The Tribal Life of Gikuyu*

[Kikuyu] (Secker and Warburg, London, 1938). The volume has the trappings of Western scholarship, including an introduction by Professor Malinowski, but it is highly subjective. The novel on the Kikuyu by Mrs. Elspeth Huxley, *Red Strangers* (Harper and Bros., London, 1939), draws on authoritative sources and authentic incidents to present what is in effect a social description of the Kikuyu at the time of the coming of the white man.

Comparatively little has been written about the Masai, a cattle-herding people who have resisted European acculturation and, with their domains protected, have retained a great deal of their traditional social structure. An early work by A. C. Hollis, *The Masai: Their Language and Folklore* (The Clarendon Press, Oxford, 1905), is still useful. Among the Masai, the age-set system also performs many political functions, a description of which is contained in the article by Henry Fosbrooke, "An Administrative Survey of the Masai Social System," *Tanganyika Notes and Records* (No. 26, Dec., 1948). The Turkana in northwest Kenya also have a social structure based on the kinship and age-set system, an account of which has been written by P. H. Gulliver, *A Preliminary Survey of the Turkana* (University of Cape Town, Cape Town, Communications from the School of African Studies, New Series No. 26, 1951). This study describes the character of political leadership, the nature of Turkana law and justice, and the manner in which the judicial system has been altered by the British administration. Another type of political order is found among the Lango, which has been studied by Jack H. Driberg, *The Lango, A Nilotic Tribe of Uganda* (T. F. Unwin, Ltd., London, 1923). Prior to European rule, the Lango lived an almost anarchic existence. They lacked a settled tribal authority and were divided into a number of factions, unrelated to the clan system, which rarely cooperated with one another. The social organization was directed primarily toward military exploits. Other studies of the social structure of East African tribal groups include A. C. Hollis, *The Nandi, Their Language and Folklore* (The Clarendon Press, Oxford, 1909); G. W. B. Huntingford, *The Nandi of Kenya, Tribal Control in a Pastoral Society* (Routledge and Kegan Paul, London, 1953); Thomas T. S. Hayley, *The Anatomy of Lango Religion and Groups* (The University Press, Cambridge, Eng., 1947); and Jean G. Peristiany, *The Social Institutions of the Kipsigis* (G. Routledge and Sons, Ltd., London, 1939).

It may be necessary to supplement the two major classifications of African political systems suggested by Fortes and Evans-Pritchard. In introducing indirect rule, British administrators have run into special problems where there is no cohesion among or centralized control over various subtribal groups but where they, in turn, possess chiefs, councils, and other well-defined political institutions. These groups are largely found in Tanganyika. The Chagga, who formerly were an aggregate of small units living on the slopes of Mt. Kilimanjaro, have recently been transformed into a unified tribe under an elected Paramount Chief, T. L. M. Marealle. In the article, "The Wachagga of Kilimanjaro," *Tanganyika Notes and Records* (No. 32, Jan., 1952), Chief Marealle discusses the wars and other changes which have helped unite the 400 clans into sixteen chiefdoms. Another source is *Kilimanjaro and Its People* (H. F. and G. Witherby, London, 1924), by Charles C. F. Dundas.

The Sukuma, who number over a million, were formerly composed of small autonomous village units or federations of village chiefs, and they too have been federated recently. Hans Cory, who might be called the founding father of the Sukumaland Federation, has written *The Ntemi, the Traditional Rites in Connection with the Burial, Election, Enthronement and Magic Powers of a Sukuma Chief* (Macmillan and Co., London, 1951), an incisive study which reveals the manner in which the political authority of the chief is supported by his control over agriculture, warfare, and the religious system.

The systematic study of native legal systems has not proceeded very far, and the pertinent material is to be found largely in oral tradition and institutional practice rather than in written works. The *Journal of African Administration* has frequent articles on native law, and the magazine is acutely aware of the importance of the subject. One of the best accounts of African courts is the volume by Arthur Phillips, *Report on Native Tribunals* (Government Printer, Nairobi, 1945), which, in describing the various practices, reveals the great diversity which exists. The study by Hans Cory and M. M. Hartnoll, *Customary Law of the Haya Tribe* (P. Lund, Humphries and Co., Ltd., London, 1945), is a codification of customary law undertaken to assist local government tribunals in attaining greater uniformity in their decisions. Another study by Hans Cory, *Sukuma Law and Custom* (Oxford University Press, London, 1953), was prepared to assist the judicial integration of the new Sukumaland Federation. D. J. Penwill has a less inclusive study in *Kamba Customary Law; Notes Taken in the Machakos District of Kenya Colony* (Macmillan and Co., London, 1951).

IV. ADMINISTRATION

The administrative structure of East Africa is a complicated mosaic of power relations. Each of the three mainland territories has its own governor, civil service, legislative council, commissioners for the provinces and districts (with some variations in function and title), and aggregates of local authorities varying from indigenous kingships to modern urban communities. The East Africa High Commission provides some services in common for the three territories. Zanzibar is different, having a Sultan and a Resident. Internally, the pattern of government is not consistent; in parts of Uganda, for instance, various tribal authorities have varying degrees of protection and autonomy granted by treaty.

All of these varying structures have been described by that wise and energetic Africanist, Lord Hailey, in his authoritative survey, *Native Administration in the British African Territories* (London: H.M.S.O., 1950-53, 5 vols.). Kenya, Uganda, and Tanganyika are described in Part I, East Africa; Zanzibar in Part II, Central Africa; and there is a general survey of the system of native administration in Part IV. The study is more concerned with the structure of the institutions than with the dynamics of the political process, but it is nevertheless a remarkable contribution to our knowledge of African government. The supplements to the *Journal of African Administration* for April and July, 1952, entitled "A Survey of Local Government in the African Territories since 1947," provide additional information not covered in the Hailey volumes.

All responsible administrative officials are faced with the policy question of whether to protect, utilize, and develop existing political institutions, or to create new institutions more suitable for passing an annual budget than for carrying on cattle raids. The issue, generally posed as that of direct rule as opposed to indirect rule, has an important bearing on the future development, and the rate of development, of Africa; and the preservation of native authority is variously frowned on and supported by emerging, educated Africans. Lord Lugard is given credit for creating the system of indirect rule when he worked among the Fulani Emirates of Northern Nigeria, and his experience is recorded in the noted work, *The Dual Mandate in British Tropical Africa* (William Blackwood and Sons, Edinburgh, 1922). In addition to describing the operation of indirect rule, Lugard gives one of the first comprehensive surveys of some of the problems facing colonial administrators in Africa, such as education, labor, taxation, slavery, land tenure, and economic development.

Sir Donald Cameron, the former Governor of Tanganyika, was keen on developing native political institutions, and his administration gave an impetus to a search for and revival of these. But in Tanganyika, as in other parts of East Africa, the tribal structure is different from that of Northern Nigeria, and there are numerous small, truncated groups without a well-developed political structure. Cameron's position, as outlined in an informal address, "Native Administration in Nigeria and Tanganyika," has been reprinted as a supplement to Vol. 36, *Journal of the Royal African Society* (Nov. 30, 1937). This address is an analysis of the purposes and results of indirect rule and of the limitations of its applicability to a territory which has many diverse tribes and political systems. The article by R. E. Robinson in the July, 1950 issue of the *Journal of African Administration*, "Why 'Indirect Rule' Has Been Replaced by 'Local Government' in the Nomenclature of British Native Administration," is an informative account of the development of local authority and of the changing attitudes regarding it. Miss Lucy P. Mair has also written of indirect rule, and in her *Native Policies in Africa* (G. Routledge and Sons, Ltd., London, 1936) she compares British policies with those of France, Belgium, and Portugal. Another comparative study has been made by H. A. Wieschoff, *Colonial Policies in Africa*, African Handbooks No. 5 (University of Pennsylvania Press, Philadelphia, 1944.)

The development of local government in East Africa has proceeded rapidly in recent years, but neither the rate of growth nor the patterns of response have been uniform. Indeed, if one is interested in political development in East Africa at the present time, there is no more dynamic area than in the broad field of local government. The most recent work on the current status of local government in Uganda is by C. A. G. Wallis, *Report of an Inquiry into African Local Government in the Protectorate of Uganda* (Government Printer, Entebbe, 1953). Many plans are in the wind for developing local government authorities in Tanganyika. An account of these plans has been prepared by Professor W. J. M. Mackenzie of Manchester University under the title *Report of the Special Commissioner Appointed to Examine Matters Arising out of the Report of the Committee on Constitutional Development* (Government Printer, Dar Es Sa-

laam, 1953). For background, a useful reference is a memorandum written by the Member for Local Government setting out in abbreviated form the main patterns of development in the various districts of Tanganyika. The report, *Development of African Local Government in Tanganyika* (Col. No. 277/1951), surveys the establishment of rural and urban councils, the development of local fiscal policies, the tendency to separate judicial and executive functions in local government, the problem of the integration of small tribal units, and the association of the popular elements of tribal life with the traditional rulers in the tasks of local government.

The *Journal of African Administration* has published a number of reports on experiments in developing local government authorities, and this excellent magazine is well worth following for anyone interested in the subject. As an example of the type of material it includes, the article by F. A. Montague and F. H. Page-Jones, "Some Difficulties in the Democratization of Native Authorities in Tanganyika" (Vol. 3, Jan., 1951), reviews the extent to which democratic procedures have evolved in African societies without the aid of European administrators. It also cites cases where it has been necessary for British administrators to encourage popular participation in local government affairs, a situation resulting from lethargy on the part of the nontraditional elements or from autocratic tendencies of various Native Authorities. An interesting story of the use of anthropological material in framing a better system of indirect rule is contained in the volume by G. Gordon Brown and A. McD. Bruce Hutt, *Anthropology in Action: An Experiment in the Iringa District of the Iringa Province, Tanganyika Territory* (Oxford University Press, London, 1935). See also H. E. Lambert, *The Use of Indigenous Authorities in Tribal Administration* (Meru of Kenya) (University of Cape Town, Cape Town, Communications from the School of African Studies, New Series No. 16, 1947.)

There are relatively few published studies of urban areas in East Africa, but additional field studies are either under way or completed, and the results will no doubt be published in due time. Edwin S. Munger, a geographer, has written *Relational Patterns of Kampala, Uganda* (University of Chicago Press, Chicago, 1951), which examines the impact of the physical environment, the cultural patterns, and the economic position of Kampala. A few years ago the Nairobi Municipal Council employed a three-man team to prepare a twenty-five year development plan of the physical, economic, and social resources of the city. The report by L. W. T. White, Leo Silberman, and P. R. Anderson, *Nairobi, Master Plan for a Colonial Capital* (H.M.S.O., London, 1948), contains an excellent survey of the existing conditions in Nairobi, although it is inadequate as a plan for a multiracial city. Reference to the Maragua Development Plan for a multiracial community, proposed by Richard Hughes, is made in *East Africa and Rhodesia*, Aug. 27, 1953.

V. RACE, POLITICS, AND CULTURAL CHANGE

The arrival in Africa of Europeans and Indians has created new political situations, and the Europeans, in particular, have introduced their own polit-

ical traditions, including the organization of political parties. When Sir Winston Churchill visited East Africa in 1908, there were fewer than a thousand Europeans living in Nairobi, but Churchill recorded that "every white man in Nairobi is a politician; and most of them are leaders of parties." (*My African Journey*, Hodder and Stoughton, London, 1908, p. 21.)

The political issues surrounding white settlement have been discussed for half a century, and they were the subject of an interesting exchange of letters between Elspeth Huxley and Margery Perham in the volume, *Race and Politics in Kenya* (Faber and Faber, Ltd., London, 1944). Mrs. Huxley asks what policies the critics of European settlement would recommend, and Miss Perham attempts to present some solutions. The introduction by Lord Lugard contains a compact summary of the official documentation on the land problem, East African federation, and other Kenya controversies.

Mrs. Huxley has also written two informative volumes on the history of the white settlers. *White Man's Country: Lord Delamere and the Making of Kenya* (Macmillan and Co., London, 1935, 2 vols.) is a first-rate biography of the pioneer, Lord Delamere, who was primarily responsible for making Kenya an attractive area of European settlement. Delamere's experimentation with crops and animals suitable for the East African terrain is a fascinating story. *Settlers of Kenya* (Longmans, Green and Co., London, 1948) is a short, readable account of the history of white settlement in Kenya. An informative and well-documented study of British policy in Kenya is the work of Marjorie R. Dilley, *British Policy in Kenya Colony* (T. Nelson and Sons, New York, 1937).

A number of commissions have from time to time studied land usage in East Africa, and the Lugard introduction in the Huxley-Perham volume is a convenient guide to this rather extensive literature. The document, *Land and Population in East Africa* (Col. No. 290/1952), contains an exchange of correspondence between Oliver Lyttleton, the Secretary of State for the Colonies, and Sir Philip E. Mitchell, the recent Governor of Kenya, on the background of the current disturbances in Kenya; an appendix includes the frame of reference for the recently appointed Royal Commission. Another useful reference is H. E. Lambert, *The Systems of Land Tenure in the Kikuyu Land Unit* (University of Cape Town, Cape Town, Communications from the School of African Studies, New Series No. 22, 1950).

A number of works on East Africa are critical, emotional, and heavily biased. Some of these have been influential in shaping the stereotypes of East Africa, and of Kenya in particular, held by many people in the world outside. Among the works in this category are the writings of Norman Leys and W. Macgregor Ross and various publications of the Colonial Bureau of the Fabian Society.

The position of the Indians is always a factor in East African politics, but no systematic study has been made of this important group. The historic statement of British policy was made in the command paper, *Indians in Kenya* (Cmd. 1922/1923), which rejected the proposal for barring Indian immigration and announced the policy of the paramountcy of African interests. Since the partition of India and Pakistan, the sedulous interest of these two countries

in East Africa seems to have increased. The first volume of W. K. Hancock's *Survey of British Commonwealth Affairs* (Oxford University Press, London, 1937-1942, 2 vols.) contains a chapter on the position of Indians in Kenya and South Africa in the interwar years.

Constitutional change has flourished in East Africa since the war, and on the territorial level the persistent issues are the relative number of Africans, Europeans, and Asians in the central legislature, the ratio of elected and of appointed members, and the relative number of official and unofficial members. Martin Wight has compiled the British colonial constitutions and written a long introductory essay in the volume, *British Colonial Constitutions, 1947* (The Clarendon Press, Oxford, 1952). Wight's earlier work, *The Development of the Legislative Council* (Faber and Faber, Ltd., London 1946), gives some essential background for the understanding of the political structure of the territories.

African political activity generally follows the structure of the local government concerned, and there are few territory-wide organizations. Even the Kenya African Union, now proscribed, was primarily confined to the Kikuyu tribe. Political controversy in local government units can be followed in the vernacular press, but it is pointless to list such publications here. *The Report of the Commission of Inquiry into the Disturbances in Uganda during April 1949* (Government Printer, Entebbe, 1950) summarizes the attitudes of the various political factions—they can hardly be called parties—extant in the Kingdom of Buganda and the unresolved political issues between Buganda Africans and Indians.

Parts of Africa are changing, and this creates new and different political problems. A general theory of cultural contact and social change is contained in the classic work of Bronislaw Malinowski, *The Dynamics of Culture Change; An Inquiry into Race Relations in Africa*, edited by Phyllis Kaberry (Yale University Press, New Haven, 1945). Malinowski suggests that change be studied under the following categories: the interests, influences, and institutions of the impinging culture; the surviving forms of the African traditions; and the processes of contact and change. The volume by Jack H. Driberg, *The East African Problem* (Williams and Norgate, Ltd., London, 1930), describes the Hamitic invasions of Uganda, Ruanda, and Tanganyika, and contrasts the varying reactions in the Ankole, Buganda, and Bunyoro areas.

A study by Godfrey Wilson and Monica Hunter Wilson, *The Analysis of Social Change, Based on Observations in Central Africa* (The University Press, Cambridge, Eng., 1945), analyzes the changes taking place in the native groups of East and Central African societies as a result of European contact. The groups studied exhibit a variety of reactions in shifting from the parochial village, with its well-defined status positions, to the wider circle of Western culture. The Wilsons feel that the greatest threat to social equilibrium has come from the lag resulting from advances in the material culture and the retention of the indigenous religious beliefs. In *An African People in the Twentieth Century* (G. Routledge and Sons, Ltd., London, 1934), Lucy P. Mair describes the effect of European contact upon the village life of the Baganda. Colonial policy is an-

alyzed in terms of its impact upon the indigenous social and political institutions and of the implications of the policy of indirect rule.

L. S. B. Leakey, the archeologist and curator of the Coryndon Museum in Nairobi, has written a small, succinct, and enlightening volume, *Mau Mau and the Kikuyu* (Methuen, London, 1953), which is required reading for anyone interested in the current unrest in Kenya. The volume is a brief summary of a larger, as yet unpublished, study of the social and religious customs of the Kikuyu. Leakey describes the breakdown of the Kikuyu social system under European impact and analyzes the growth of political activity among the detribalized Kikuyu, leading to the current Mau Mau activity. Leakey, the son of missionary parents, was brought up among the Kikuyu, speaks the language, and is an initiated member of his age-set. The Mau Mau are after him.

VI. TOPICAL ISSUES

There is considerable literature, much of it technical, on various topical issues, and of course the territorial governments are organized functionally to handle technical problems. J. K. Matheson and E. W. Bovill have edited a general agricultural survey, *East African Agriculture* (Oxford University Press, London, 1950), which will give the novice some necessary background on agrarian problems. Alan Wood has written *The Groundnut Affair* (The Bodley Head, London, 1950), an amusing and popular account of the diabolic misfortunes which befell this scheme. This is a slight volume, written by one who has his own blinders, but it contains references to official documentation for the benefit of the more serious reader.

The development of agriculture is closely related to the widely varying laws on land tenure, which in some places allow land holdings to be uneconomically splintered among many owners. One of the best surveys of this topic is by Charles K. Meek, *Land Law and Custom in the Colonies* (Oxford University Press, London, 1946), which gives generous treatment to the particular problems of East Africa. Articles on land laws appear frequently in the *Journal of African Administration*, and a number of excellent studies of land utilization have been made by geographers.

On economic problems, the writings of S. Herbert Frankel, of Nuffield College, Oxford, are outstanding, and they include especially *The Economic Impact on Under-Developed Societies* (Basil Blackwell, Oxford, 1953) and *Capital Investment in Africa: Its Course and Effects* (Oxford University Press, London, 1938). Another worthwhile work is Thomas R. Batten's *Problems of African Development*, Part I, Land and Labour; Part II, Government and People (Oxford University Press, London, 1947-48). The second volume of Hancock's *Survey*, mentioned above, has a chapter, "Evolution of the Settlers' Frontier." W. M. Macmillan has written *Africa Emergent; A Survey of Social, Political, and Economic Trends in British Africa* (Penguin Books, Middlesex, reprint, 1949), a highly readable account of the origins of European contact with Africa and of the problems and advantages which that contact has produced for the Africans and Europeans alike. Further information on economic problems may

be found in the plans prepared by the individual colonies for utilizing the Colonial Development and Welfare funds, in the reports of the Colonial Development Corporation, the Overseas Food Corporation, and the United Kingdom Trade Commissioner in East Africa, and in various documents of the United Nations.

There is no end of publications on African labor, but only two will be mentioned here. Major G. St. John Orde-Browne has written *The African Labourer* (Oxford University Press, London, 1933) and *Labour Conditions in East Africa* (H.M.S.O., London, 1946). The former is a continent-wide analysis of factors affecting African laborers, the latter a field survey of African labor in the post-war period.

On transportation, an excellent and fascinating work has been written by M. F. Hill, *Permanent Way, the Story of the Kenya and Uganda Railway; Being the Official History of the Development of the Transport System of Kenya and Uganda* (East African Railways and Harbors, Nairobi, 1949). This volume tells in subdued phrases the story of the construction of the Uganda railway from the Indian Ocean to Lake Victoria. As a footnote, it can be recorded that the man-eating lions of Tsavo, which brought the railroad construction to a complete standstill for three weeks, are now in the Chicago Natural History Museum!

There is no dearth of excellent studies on education, the latest being *African Education, a Study of Educational Policy and Practice in British Tropical Africa*, produced on behalf of the Nuffield Foundation and the Colonial Office (Oxford University Press, London, 1953). The East African Institute of Social Research at Kampala, Uganda, will shortly begin publishing a series of studies made by its staff. A volume by E. B. Worthington, *Science in Africa: a Review of Scientific Research Relating to Tropical and Southern Africa* (Oxford University Press, London, 1938), is a useful review of the progress of scientific investigation having a bearing on Africa.

The East African Statistical Department has prepared studies of the African populations of the three mainland territories from its basic source, *East African Population Census, 1948* (East African Statistical Department, Nairobi, 1950), and it issues special studies from time to time. The second volume of the study of Robert R. Kuczynski, *Demographic Survey of the British Colonial Empire* (Oxford University Press, London, 1949), is on East Africa. The work is a laborious study of official and unofficial figures on population, with Kuczynski concluding that figures dealing with African populations are of little value for scientific research. In *The Population of Tanganyika* (United Nations doc. ST/SOA/Service A; Population Studies No. 2, Lake Success, Sept. 1, 1949), Irene Taeuber summarizes the existing knowledge of the major characteristics of the population.

VII. INTERNATIONAL CONTROL

The East African territories have been subjected to varying degrees of international control through multilateral treaties, the League of Nations Mandates System (applicable to Tanganyika), and various types of supervision now

exercised by different (and differing) United Nations agencies. The agreements contained in the multilateral treaties may be found in the documents of the Berlin Conference of February, 1885, the Brussels Antislavery Conference of July, 1890, and the Saint Germain-en-Laye Conference of September, 1919. Several volumes are concerned with the general effectiveness of these arrangements, including Quincy Wright, *Mandates under the League of Nations* (University of Chicago, Chicago Press, 1930); Benjamin Gerig, *The Open Door and the Mandates System* (G. Allen and Unwin, Ltd., London, 1930); and Arthur B. Keith, *The Belgian Congo and the Berlin Act* (The Clarendon Press, Oxford, 1919).

Information on the mandates under the League of Nations is found in the *Minutes of the Permanent Mandates Commission* as well as in the *Minutes of the Council* and the *Records of the Assembly*. The Commission acted in an advisory capacity to the Council and received and examined annual reports from the Mandatory Powers and written petitions from the inhabitants of the territories. It held thirty-seven sessions between 1920 and 1939. The annual reports on Tanganyika are found in the Colonial Series (although those for 1920 and 1921 bear command numbers 1428 and 1732). Rayford W. Logan has written *The African Mandates in World Politics* (Public Affairs Press, Washington, D.C., 1949), which somewhat exaggerates the role played by the African territories in the diplomatic controversies between the two world wars. The work of Charlotte Leubuscher, *Tanganyika Territory, A Study of Economic Policy under Mandate* (Oxford University Press, London, 1944), is a critique of the financial and economic policies in the administration of Tanganyika under the League.

The research student considering the supervision of African administration by the United Nations will have to examine several types of documents, and a visit to the whispering galleries of the various United Nations delegations would also be valuable in understanding how decisions affecting the African territories are made. For documentary sources, one should consult the *Official Records of the Plenary Meetings of the General Assembly*, the *Official Records of the Fourth (Trusteeship) Committee*, and the *Official Records of the Trusteeship Council*. The petitions regarding Tanganyika are ordinarily found in the *Annexes to the Official Records of the Council*, although the Meru petitioner before the Eleventh Session of the Council presented his statement orally; some are included with the reports of the visiting missions. Thus far, two visiting missions have been to Tanganyika, their reports being entitled *Reports of the United Nations Visiting Mission to Trust Territories in East Africa, on Tanganyika* (U.N. doc. T/218, 13 Nov., 1948; and U.N. doc. T/946, 1951). Additional material on East Africa is contained in the reports of the Standing Committee on Administrative Unions of the Trusteeship Council, which has so far submitted two reports. A summary of the work of the Trusteeship Council and the visiting missions may be found in the *Annual Report of the Trusteeship Council to the General Assembly*.

Under Chapter XI of the United Nations Charter, member nations may submit information on non-self-governing territories, but they are not required to submit information on political developments. The information submitted is

found in the document entitled: *Non-Self-Governing Territories: Summaries and Analyses of Information Transmitted to the Secretary-General* (1946-1952). The material in these reports is considered by the Fourth Committee of the General Assembly and by a special committee operating under its aegis, now known as the Committee on Information from Non-Self-Governing Territories, which also submits an annual report.

VIII. SERIAL DOCUMENTATION, PERIODICALS, AND BIBLIOGRAPHIES

Many government documents are published regularly in serial form, including especially the *Annual Report on the Colony and Protectorate of Kenya*, the *Annual Report on Uganda*, the *Annual Report on Zanzibar*, the *Report to the General Assembly on the Administration of Tanganyika*, and the *Annual Report, East Africa High Commission*. These reports contain general surveys of the economic, political, and social developments of the year and are convenient references for items not easily available elsewhere. The reports of the provincial commissioners are of considerable value in providing material on local government, and they frequently include extracts from the reports of district officers. In theory, all colonial publications not printed by H. M. Stationery Office should be available from the Crown Agents for the Colonies, 4 Milbank, London, but apparently a number of useful publications, such as the budgets of local authorities, do not reach London for wider distribution.

For the debates of legislative assemblies, see Kenya, *Legislative Council Debates*; Uganda, *Proceedings of the Legislative Council*; Tanganyika, *Proceedings of the Legislative Council*; and East Africa High Commission, *Proceedings of the East Africa Central Legislative Assembly*. In this connection, the Hansard Society has a useful publication, *Problems of Parliamentary Government in the Colonies* (Hansard Society, London, 1953). Parliamentary debates are, of course, a fruitful source of information on East Africa, and items come up frequently during the question period and during debates on colonial policy. (See *Hansard*, *Lords and Commons Debates*.) Each territory also has its series on laws, statutes, ordinances, court decisions, budget estimates, gazettes, and the like.

Several useful abstracts and bibliographies have been published. *African Abstracts*, *A Quarterly Review of Ethnological, Social, and Linguistic Studies Appearing in Current Periodicals*, published by the International African Institute, contains convenient summaries in French or English of the significant contemporary scholarly publications on Africa. The European Affairs Division of the Library of Congress has prepared *Introduction to Africa: A Selective Guide to Background Reading* (The University Press of Washington, Washington, D.C., 1952), which contains a brief description, by territories, of some of the significant books on Africa. The volume is a valuable source for the lay reader unfamiliar with African sources, but it has limited use for the research scholar.

Some five bibliographies have been published in the Nuffield College Series. The first, edited by Margery Perham, *Colonial Government*, Nuffield College Colonial Reading List No. 1 (Oxford University Press, London 1950), is a working list prepared for the training of civil servants and is not an intensive

bibliography of any single problem or territory. A bibliography on economic activities in colonial areas is contained in the volume edited by P. Bower, *Colonial Economics*, Nuffield College Colonial Reading List No. 2 (Institute of Colonial Studies, Oxford, duplicated copies, 1946). A new edition of this work will be published shortly by the Oxford Press. The volume edited by C. Comhaire, *Urban Conditions in Africa*, Nuffield College Colonial Reading List No. 3 (Institute of Colonial Studies, Oxford, duplicated copies, 2nd ed., 1952), has topical references on urban subjects, with many references to East Africa. The reading list prepared by Phillip Mayer, *Rural Conditions and Betterment in the British Colonies*, Nuffield College Reading List No. 4 (Oxford University Press, London, 1947), contains general references to agriculture, animal husbandry, fishing, education, nutrition, and welfare; it is not intended for the specialist. The most comprehensive and specialized of the series is the volume *Colonial Law*, Nuffield College Colonial Reading List No. 5, edited by C. F. Meek (Oxford University Press, London, 1948). This is of special value for the study of indigenous law and custom in East Africa.

Periodicals include the following three standard journals of general scholarly interest: *Africa*, published by the Journal of the International African Institute, with emphasis upon ethnological studies; *African Affairs*, published by the Royal African Society, with a variety of interests, historical as well as contemporary; and *African Studies*, published by the Department of Bantu Studies of the University of Witwatersrand, primarily anthropological. *African World* deals with contemporary topics, and presents objective reports on economic and political affairs. One of the most valuable publications is *Journal of African Administration*, which has articles on local government, training of civil servants, problems of land tenure, the structure and operation of native tribunals, and other topics relating to the governing of Africa. Although edited by the African Studies Branch of the Colonial Office, it does not necessarily represent official views or policies. *Corona*, a journal of the Colonial Service, has frequent articles on the administration of African territories.

Journals of a more technical nature include the *Quarterly Economic and Statistical Bulletin*, published by the East Africa High Commission; *East African Agricultural Journal of Kenya, Tanganyika, Uganda and Zanzibar*; and *Colonial Development*, the quarterly magazine published by the Colonial Development Corporation.

Magazines of general territorial interest include *East Africa and Rhodesia*, which frequently reprints contemporary documents and contains lively and thoughtful editorial comment; and *Tanganyika Notes and Record* and *Uganda Journal*, which print a variety of articles of general interest on the territories with which they deal.

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MATERIALS FOR UNDERGRADUATE STUDY OF THE UNITED NATIONS

This article contains a discussion of selected English language materials on the United Nations available to and suitable for use by undergraduate college students and, we hope, their instructors. It omits discussion of materials on the "specialized agencies" and other items which some will think should have been included. It is not intended as a guide for advanced research.¹

The best material thus far published about the United Nations is that prepared by the Organization itself, principally by the Secretariat. The second best body of material is found in periodicals and in various series which appear irregularly—some published by governments and others by private organizations or individuals. The books that deal with the United Nations comprise a weak third category, whether measured by quantity, coverage, or quality. There are however, good books on the origins of the United Nations, on its peace and security functions, on the Charter, on the Organization in general, and on three of its six main organs—the General Assembly, the Security Council, and the International Court of Justice. There are books on the Secretariat which are barely adequate, but few or none have been written on the Economic and Social Council or the Trusteeship Council. Nor are there books that give adequate treatment of the primary functions of the U.N., such as those related to economic, social, administrative, and financial matters, dependent areas, and the control and regulation of armaments.

Origins of the United Nations. There are nearly a score of significant books that deal with the origins of the United Nations, but most of them treat only the United States preparation. There are no accounts in English of the British, Soviet, Chinese, or any other nation's preparation for Dumbarton Oaks or the San Francisco Conference.² The U.S. Department of State has published Harley Notter's valuable and illuminating *Postwar Foreign Policy Preparation, 1939-1945*,³ which is a rich source book but highly technical, emphasizing procedure more than substantive issues in its account of the six years of study by the United States that preceded the San Francisco Conference. An important companion study being prepared by the Brookings Institution will contain some of the late Leo Pasvolsky's notes and writings on the unique part he played in the preparation for the drafting of the Charter and in the drafting itself.⁴

¹ For a guide for advanced research, see Carol Carter Moor and Waldo Chamberlin, *How to Use United Nations Documents* (New York University Libraries Occasional Papers No. 1, New York University Press, 1953, 26 p.).

² As far as is known one book in Russian is the only one in any language that contains any account of such preparations. S. B. Krylov, *Materials for the History of the United Nations* (Academy of Science of the U.S.S.R., Moscow, 1949, 338 p., translated title.)

³ Department of State Pub. No. 3580, Government Printing Office, Washington, 1950, 726 p.

⁴ The Brookings Institution study may be published during 1954 and, if so, will probably cover the period from 1941 through the ratification of the Charter in August, 1945. Other possible studies in the same series are mentioned later in this article.

There is considerable information about the United States preparation in the memoirs of participants, notably those of Hull, Welles, Sherwood, Vandenberg, Stimson, and Forrestal—the last two being particularly concerned with the trusteeship problem.⁵ The decisions made at Yalta concerning the United Nations are well covered in the volumes by Stettinius, Byrnes, Churchill, and Leahy.⁶

The San Francisco Conference of 1945 is the only major international conference to have authorized publication of its records in full (sixteen volumes). The most important of these documents have been brought together in a book published by the Department of State.⁷ From participants in the Conference we have accounts such as those by Krylov, Vandenberg, Dulles, Wellington Koo Jr., and the Department of State's report written under the supervision of the late Leo Pasvolsky.⁸ The daily column in the *New York Times* by James Reston deserves mention among the important writings about the San Francisco Conference. Its completeness and accuracy were such that delegates at the Conference did not care to begin a day's negotiations without reading it to see what had really happened the day before and what was likely to happen in coming meetings. The special conference edition of the *Times* was placed under the door of the room of each delegate and received an amount of attention seldom given to any newspaper, largely because of the accuracy of the reporting resulting from Reston's remarkable "pipeline." Finally, there is the volume of Senate *Hearings* on the Charter in which Mr. Pasvolsky explained the assumptions and intentions of those who drafted and signed the Charter.⁹ It was upon these explanations that the Senate based its advice and consent.

⁵ Cordell Hull, *The Memoirs of Cordell Hull*, 2 vols. (Macmillan, New York, 1948, 1804 p.); Sumner Welles, *The Time for Decision* (Harper, New York, 1944, 431 p.), *Where Are We Heading* (Harper, New York, 1946, 397 p.), and *Seven Decisions That Shaped History* (Harper, New York, 1950, 236 p.); Robert E. Sherwood, *Roosevelt and Hopkins* (Harper, New York, 1948, 1002 p.); Arthur H. Vandenberg, *The Private Papers of Senator Vandenberg*, ed. Arthur H. Vandenberg, Jr. (Houghton Mifflin, Boston, 1952, 599 p.); Henry L. Stimson and McGeorge Bundy, *On Active Service in Peace and War* (Harper, New York, 1948, 698 p.); James Forrestal, *The Forrestal Diaries*, ed. Walter Millis (Viking Press, New York, 1951, 581 p.).

⁶ Edward R. Stettinius, *Roosevelt and the Russians: The Yalta Conference*, ed. Walter Johnson (Doubleday, Garden City, N. Y., 1949, 367 p.); James F. Byrnes, *Speaking Frankly* (Harper, New York, 1947, 342 p.); Winston S. Churchill, *The Second World War: Triumph and Tragedy* (Houghton Mifflin, Boston, 1948); William D. Leahy, *I Was There* (Whittlesey House, New York, 1950, 527 p.).

⁷ *The United States Conference on International Organization. . . Selected Documents* (Dept. of State Pub. No. 2490, Government Printing Office, Washington, 1946, 992 p.).

⁸ John Foster Dulles, *War or Peace* (Macmillan, New York, 1950, 274 p.); Wellington Koo, Jr., *Voting Procedures in International Organizations* (Columbia University Press, New York, 1947)—this volume contains a brief but the only published account of the discussions in the "Penthouse" at San Francisco. For Krylov's account, see note 2, above, and for Vandenberg's, note 5; for the State Department's report, see *Charter of the United Nations: Report to the President on the Results of the San Francisco Conference . . .* (Dept. of State Pub. No. 2349, Government Printing Office, Washington, 1945, 266 p.).

⁹ "The Charter of the United Nations," *Hearings before the Committee on Foreign Relations*, U.S. Senate, 79th Cong., 1st sess. (1945), 723 p.

Memoirs on the Period 1946-1952. There are at least nine books of memoirs by persons who participated in the United Nations during its early years. Those by Arcé,¹⁰ Evatt,¹¹ Byrnes, and Vandenberg are general in approach, as is the little volume by Abraham Feller.¹² Feller's, however, differs from those of the others in that it pleads for a particular cause and reflects the sense of devoted purpose common to many members of the Secretariat of the United Nations. Mrs. Roosevelt's volumes are both interesting and useful but tend to be anecdotal rather than analytical.¹³ Count Bernadotte's posthumously published account of his work in Palestine is useful.¹⁴ In many ways, the most interesting and valuable of all the works by those who took part in the early development of the United Nations is Paul Hasluck's account of the first two years of the Security Council.¹⁵

Secretariat Publications. One can not overemphasize the value and usefulness of materials on every aspect of the United Nations which are published by the Organization itself. Of this vast tonnage of documentation, the most appropriate and timely for the use of undergraduate students are the annual reports to the General Assembly by the Secretary-General and the three councils¹⁶ and the annual *Budget Estimates*.¹⁷ These documents are prepared each summer for the autumn session of the General Assembly, which coincides with the opening of the autumn college terms, and are followed within a few months by the encyclopedic *Yearbook of the United Nations*,¹⁸ which synthesizes virtually all of the material in the above items and enlarges upon it as well. Unfortunately, because of their official nature all of these publications, with the exception of the "Introduction" to the Secretary-General's report, lack interpretive and evaluative comments. The student must turn elsewhere for such analysis. A

¹⁰ Jose Arcé, *Right Now* (Blass, S. A. Tipografica, Madrid, 1951, 180 p.) and *United Nations: Admission of New Members* (Blass, S. A. Tipografica, Madrid, 1952, 253 p.).

¹¹ Herbert V. Evatt, *The Task of Nations* (Duell, Sloan and Pearce, New York, 1949, 279 p.) and *The United Nations* (Harvard University Press, Cambridge, 1948, 154 p.).

¹² A. H. Feller, *United Nations and World Community* (Little, Brown, Boston, 1952, 153 p.).

¹³ Eleanor Roosevelt and H. J. Ferris, *Partners: The United Nations and Youth* (Doubleday, Garden City, N. Y., 1950, 206 p.); Eleanor Roosevelt and William A. de Witt, *United Nations: Today and Tomorrow* (Harper, New York, 1943).

¹⁴ Folke Bernadotte, *To Jerusalem* (Hodder and Sloughton, London, 1951, 280 p.).

¹⁵ *Workshop of Security* (Cheshire, Melbourn, 1948, 181 p.).

¹⁶ United Nations: *Annual Report of the Secretary-General on the Work of the Organization; Report of the Security Council; Report of the Economic and Social Council; Report of the Trusteeship Council*. These four are published yearly as Supplement Nos. 1, 2, 3, and 4, respectively, of the *Official Records* of the General Assembly. The first report contains a concise summary of the activities of the Organization; the last three summarize in greater detail the activities of the three councils.

¹⁷ Published yearly as Supplement No. 5 to the *Official Records* of the General Assembly. This budget document contains a well-organized record of the Organization's administration and expenditures during the past year and the Secretary-General's proposed program of activities for the coming year.

¹⁸ United Nations, *Yearbook of the United Nations* (Columbia University Press, New York, yearly 1947 to date, approximately 1100 pages each).

more or less popular handbook, *Everyman's United Nations*,¹⁹ is prepared by the Secretariat each year and serves as a valuable guide to the structure and major activities of the Organization. Other significant reference books are the United Nations' *Non-Self-Governing Territories*,²⁰ *Statistical Yearbook*,²¹ *Yearbook of Human Rights*,²² and the International Court of Justice *Yearbook*.²³

Delegation Reports. A limited amount of evaluation appears in the reports of delegations to their respective parliaments or heads of state. Of the reports prepared by English-speaking governments, only those of the United States deal at all comprehensively with the activities of the Organization.²⁴ Reports have been issued by Canada, New Zealand, and the United Kingdom on each session of the General Assembly and by Australia on the first part of the first and the second part of the third sessions.²⁵ The greatest amount of evaluative comment is in the New Zealand and Canadian reports on the General Assembly and the United Kingdom report on the Preparatory Commission. The United States has published special reports on such topics as the control of atomic energy, the Economic and Social Council, and the Greek problem.²⁶

Periodicals. Periodicals form an important source of information about the

¹⁹ United Nations, *Everyman's United Nations*, 4th ed. (New York, 1953, 433 p.). In its first edition (1948) *Everyman's United Nations* was a small handbook designed for use along with the *Handbook of the U.N.* The latter was discontinued in 1950, and *Everyman's* has more than doubled in size through its editions subsequent to that date.

²⁰ United Nations, *Non-Self-Governing Territories* . . . (New York, yearly or biennially 1947 to date, approx. 700 pages each). These summarize information on conditions in non-self-governing territories, transmitted to the Secretary-General under article 73e of the Charter.

²¹ United Nations, *Statistical Yearbook* (New York, yearly [irreg.] 1948 to date, approx. 500 pages each). These contain yearly world statistics on such subjects as population, agriculture, industry, economics, finance, and education.

²² United Nations, *Yearbook of Human Rights* (New York, yearly 1947-1950, approx. 500 pages each). These contain documents on both national and international legislation, action, statements, and studies on human rights.

²³ International Court of Justice, *Yearbook* (The Hague or Leyden [irreg.], yearly 1947 to date, approx. 250 pages each).

²⁴ U. S. Department of State, *United States Participation in the United Nations, Report of the President* . . . ([title irreg., *U.S. and the U.N.*, 1946-48] Dept. of State Pub. Nos. 2735, 3024, 3437, 3765, 4178, 4583, 5034, Government Printing Office, Washington, yearly 1947 to date).

²⁵ Parliament of Australia, *First Part of the First Session of the General Assembly, Report of the Australian Delegation* (Government Printer, Canberra, 1946). Also for *The Second Part of the Third Session*. Canada, Dept. of External Affairs, *Canada and the United Nations* ([title irreg.] Edmond Coutier, Ottawa, Conf. Series, 1946 to date, approx. 200 pages each). New Zealand Dept. of External Affairs, *The United Nations, Report of the New Zealand Delegation* . . . (Wellington, for each session 1946 to date). United Kingdom Secretary for Foreign Affairs, *Report on the Proceedings of the Second Session of the General Assembly of the United Nations* (H.M. Stationery Office, London, for each session 1948 to date).

²⁶ U. S. Department of State, *The International Control of Atomic Energy: Growth of a Policy* (Dept. of State Pub. No. 2702, 1946, 281 p.); *The International Control of Atomic Energy: Policy at the Crossroads* (Dept. of State Pub. No. 3161, 1948, 251 p.); *The Economic and Social Council of the United Nations* (Dept. of State Pub. No. 2600, 1946, 74 p.); *The United Nations and the Problem of Greece* (Dept. of State Pub. No. 2909, 1947, 97 p.).

United Nations. The Secretariat produces the most voluminous periodic description of itself in the fortnightly *United Nations Bulletin*.²⁷ The two most useful private periodicals are *International Conciliation* and *International Organization*.²⁸ Since June 1945, 33% of the eighty issues of *International Conciliation* and 44% of the leading articles in *International Organization* have been devoted entirely to United Nations affairs. Of special interest in *International Organization* is the section in each issue, usually about fifty pages, which reviews current activities of the Organization. *International Conciliation* has presented carefully documented and interpretive previews of each session of the General Assembly since 1947, the most recent being "Issues before the Eighth General Assembly" (No. 439). Other issues have been devoted to important U.N. problems, such as the control of atomic energy (Nos. 423, 430), the Palestine question (Nos. 454, 464), and technical assistance (Nos. 457, 468).

As for the "learned journals" in the field, the *American Journal of International Law* publishes an average of six articles on the U.N. each year. The American Academy of Political and Social Science has devoted to the U.N. two entire volumes of the *Annals*,²⁹ constituting about 4% of its total pagination since June, 1945. Occasionally articles on the U.N. appear in the *American Political Science Review*, the *Political Science Quarterly*, and *World Politics*. The Foreign Policy Association, since 1945, has made the U.N. the subject of four out of forty-eight numbers of the *Headline Series*. The Brookings Institution reviews U.N. activities in a section of the monthly issues of its *Current Developments in United States Foreign Policy*. Other periodicals devoted entirely to the U.N. which may be useful to students are the Rotary International's *Report on U.N.* (issued monthly), *United Nations World* (also issued monthly), and publications of the American Association for the United Nations³⁰ and the United Nations Association of the United Kingdom.³¹

Nonofficial Books. An inspection of the collections in the United Nations Library, which systematically attempts to acquire all materials published on the Organization, indicates that there are, in the English language, fifty-four books (defined arbitrarily here as published works of not less than one hundred pages) for adults devoted almost exclusively to the United Nations and about one hundred eighty pamphlets (of less than one hundred pages). Although books now represent a significant source of information on the United Nations, whether they will continue to do so is a matter of speculation, the answer depending largely on public interest in the U.N. For the slim significance of the statistical inference which might be drawn, it is interesting to observe that

²⁷ *United Nations Bulletin* (New York, weekly 1946-1947, fortnightly since Jan., 1948).

²⁸ Carnegie Endowment for International Peace, *International Conciliation* (New York, currently six issues yearly); World Peace Foundation, *International Organization* (Boston, quarterly 1947 to date).

²⁹ *Annals of the American Academy of Political and Social Science*, Vol. 246 (July, 1946) and Vol. 252 (July, 1947).

³⁰ American Association for the United Nations, *U. N. Reporter*, *Speaker's Notes*, *Peoples Section Bulletin* (New York).

³¹ United Nations Association of the United Kingdom, *United Nations News* (London, monthly April, 1946 to date).

seven of these fifty-four books were published during 1946, when the newness of the U.N. created considerable interest. Only five were published in 1947, three in 1948, and five in 1949. Perhaps the concerted action in Korea in 1950 was partially responsible for the publication of eleven books during that year and thirteen during 1951. Decline in publication since that time has been rapid; seven books were published in 1952 and only two up to the end of November, 1953.

It is impossible to be certain of the future trend in the publication of books about the U.N., but if research in progress on doctoral dissertations is any indication, the totals may well increase in the next few years. Figures from the annual lists in this REVIEW show that the number of dissertations being prepared on the U.N. each year is increasing steadily: from three each in 1947 and 1948 to 12 in 1949, 24 in 1950, 22 in 1951, and 33 each in 1952 and 1953. The yearly percentage of dissertations in the general field of political science written on the U.N. has increased from 0.8% of the total in 1947 to 3.5% in 1953.

Of the fifty-four books in the Organization's library, seven have already been mentioned among the writings of those who participated in its development from 1946 to 1952.³² Eight others were published during 1945 to 1947 and are sufficiently dated not to warrant a strong recommendation for use by students.³³ Eight others are not particularly appropriate for college students. The remaining thirty-one fall readily into three categories: general, organic, and functional.

The sixteen books in the general category treat the United Nations from different points of view. The text by Goodrich and Hambro³⁴ is probably the best single book about the Organization from all points of view; and even though the present edition was published in 1949, there is no one book on the United Nations that we would recommend with as little reservation. While the approach of this book is strongly legalistic, it also traces the political, economic, social, and administrative activities of the U.N. Instructors seeking a textbook on the U.N. will probably find that Vandenbosch and Hogan is the most adequate.³⁵ Leonard's satisfactory volume is devoted largely to the U.N. but focuses on the more general field of international organization.³⁶ The *Annual Review of United*

³² Arce (2 books), Bernadotte, Evatt (2 books), Feller, and Hasluck.

³³ Sigrid Arne, *United Nations Primer* (Farrar, New York, 1945, 156 p.); Andrew Boyd, *The United Nations Organization Handbook* (Pilot Press, New York, 1946, 210 p.); William G. Carr, *One World in the Making* (Ginn and Co., Boston, 1946, 100 p.); Stuart Chevalier, *The World Charter and the Road to Peace* (Ward Ritchie Press, Los Angeles, 1946, 179 p.); Louis Dolivet, *The United Nations* (Farrar, Straus, New York, 1946, 152 p.); Stephen Fenichel and Phillip Andrews, *The United Nations: Blueprint for Peace* (Winston Co., Philadelphia, 1951, 151 p.); World Peace Foundation, *United Nations in the Making* (Boston, 1945, 130 p.) and *United Nations at Work* (Boston, 1947, 147 p.).

³⁴ Leland M. Goodrich and Edvard Hambro, *Charter of the United Nations, Commentary and Documents*, 2d ed. (World Peace Foundation, Boston, 1949, 170 p.).

³⁵ Amry Vandenbosch and Willard M. Hogan, *The United Nations: Background, Organization, Functions, Activities* (McGraw-Hill, New York, 1952, 456 p.).

³⁶ L. L. Leonard, *International Organization* (McGraw-Hill, New York, 1951, 630 p.). Other good texts on international organization which give lengthy treatments of the U. N. are Clyde Eagleton, *International Government* (Ronald Press, New York, 1948, 554 p.); Norman Hill, *International Organization* (Harper, New York, 1952, 627 p.);

Nations Affairs,³⁷ covering each year since 1949, provides a useful companion to the U.N. *Yearbook*, in that it gives some evaluation of each year's activities. It is our opinion that the most interesting book about the United Nations, for its sheer readability, is that by Maclaurin,³⁸ but because the author's presentation is admittedly one-sided (see his Preface), it must be used with care. Kelsen's controversial and very valuable tome, with supplement, is invaluable for those with a legal bent.³⁹ Other useful general volumes are those by Bentwick and Martin, Carpenter, Fakher, McClellan, Ross, and Telder;⁴⁰ *Peace on Earth*,⁴¹ and the United Nations Association of the United Kingdom's *Yearbook*.⁴² There are two good collections of pertinent United Nations documents, one by Harley⁴³ and one by Sohn,⁴⁴ both published in 1950.

Before discussing the books that fall under the organic and functional categories, mention should be made of the Brookings Institution's contemplated series on the United Nations. In addition to its study on the background of the U.N. from 1941 through ratification of the Charter in 1945, other studies are in progress on the development of the Organization from 1946 through 1953 which will treat both organic and functional problems.

Books on individual organs of the United Nations are not numerous: one on

Werner Levi, *World Organization* (University of Minnesota Press, Minneapolis, 1950, 233 p.); Linden Mander, *Foundations of Modern World Society*, 2nd ed. (Stanford University Press, Stanford, 1948, 928 p.).

³⁷ *Annual Review of United Nations Affairs*, eds. Clyde Eagleton and Richard Swift (New York University Press, New York, yearly 1950 [covering year 1949] to date [1952]).

³⁸ John Maclaurin, *The United Nations and Power Politics* (Harper, New York, 1951, 468 p.). There are some well-informed authorities who believe that Maclaurin is the pen name for K. Z. Zilliacus, and these same authorities believe that the books of C. Howard-Ellis and Roth Williams on the League of Nations were also written by Mr. Zilliacus. See E. F. Ranshofen-Wertheimer, *The International Secretariat* (Carnegie Endowment for International Peace, Washington, 1945, p. 409 n).

³⁹ Hans Kelsen, *The Law of the United Nations* (Praeger, New York, 1950, 903 p.) and *Recent Trends in the Law of the United Nations* (Stevens and Sons, London, 1951, pp. 909-94).

⁴⁰ Norman Bentwick and Andrew Martin, *A Commentary on the Charter of the United Nations* (Routledge & Kegan Paul, London, 1951, 244 p.); Francis W. Carpenter, *Men in Glass Houses* (McBride, New York, 1951, 300 p.); Hossein Fakher, *The Relations among the Principal Organs of the United Nations* (Staples Press, London, 1951, 200 p.); Bruce McClellan, *No Phoenix, No Ashes* (Maple Press, York, Pa., 1951, 142 p.); Alf Ross, *Constitution of the United Nations: Analysis of Structure and Functions* (Rinehart, New York, 1950, 236 p.); "Professor Telders" Study Group, compilers, *United Nations Textbook* (Universitaire Pers Leiden, Leyden, 1950, 355 p.).

⁴¹ Essays by Trygve Lie and others, *Peace on Earth* (Hermitage House, New York, 1949, 251 p.).

⁴² United Nations Association of the United Kingdom, *Yearbook 1948 and 1949-50* (Huchinson, London, 351 p. and 448 p., respectively).

⁴³ J. Eugene Harley, *Documentary Textbook on the United Nations* (Center for International Understanding, Los Angeles, 2nd ed., 1950, 1470 p.).

⁴⁴ Louis B. Sohn, *Cases and Other Materials on World Law* (Foundation Press, Brooklyn, 1950, 1363 p.).

the General Assembly, Haviland;⁴⁵ two on the International Court of Justice, Lissitzyn, and Hambro;⁴⁶ two on the Secretariat, Schwebel, and the Carnegie Endowment;⁴⁷ and two on the Security Council, Jiménez de Aréchaga, and Clark and Sohn.⁴⁸ The last-named also deals with the General Assembly. There is no book on the Economic and Social Council, except Finer's 1946 volume,⁴⁹ and none on the Trusteeship Council.

A number of books deal with U.N. functions. There are four on peaceful settlement of disputes: Robinson, Rivlin, Van Wagenen, and Wehl;⁵⁰ one on the budget;⁵¹ one on economic and social activities;⁵² one on the United Nations and nongovernmental organizations;⁵³ one on enabling instruments of U. N. members;⁵⁴ and two on the international control of atomic energy: the Royal Institute, and Brodie.⁵⁵ This list is complete enough to indicate the paucity of nonofficial books of functions on the United Nations.

WALDO CHAMBERLIN AND HARTLEY CLARK.

New York University.

⁴⁵ H. Field Haviland, *The Political Role of the General Assembly* (Carnegie Endowment for International Peace, New York, 1951, 190 p.).

⁴⁶ Oliver J. Lissitzyn, *The International Court of Justice* (Carnegie Endowment for International Peace, New York, 1951, 118 p.); Edvard Hambro, *The Case Law of the International Court* (A. W. Lijthoff's Publishing Co., Leyden, 1952, 699 p.).

⁴⁷ Stephen M. Schwebel, *The Secretary-General of the United Nations* (Harvard University Press, Cambridge, 1952, 299 p.); Carnegie Endowment for International Peace, *The United Nations Secretariat* (New York, 1952, 96 p.). The Endowment has announced that it will devote its January, 1954 issue of *International Conciliation* to "The International Civil Service."

⁴⁸ Eduardo Jiménez de Aréchaga, *Voting and Handling of Disputes in the Security Council* (Carnegie Endowment for International Peace, New York, 1950, 189 p.); Grenville Clark and Louis B. Sohn, *Peace through Disarmament and Charter Revision* (preliminary print 1953, 149 p.).

⁴⁹ Herman Finer, *The United Nations Economic and Social Council* (World Peace Foundation, Boston, 1946, 121 p.).

⁵⁰ Jacob Robinson, *Palestine and the United Nations* (Public Affairs Press, Washington, 1947, 269 p.); Benjamin Rivlin, *The Italian Colonies* (United Nations Action Series No. 1, Carnegie Endowment for International Peace, 1950, 114 p.); Richard W. Van Wagenen, *The Iranian Case* (United Nations in Action Series No. 2, Carnegie Endowment for International Peace, 1952, 119 p.); David Wehl, *The Birth of Indonesia* (Allen and Unwin, London, 1949, 216 p.).

⁵¹ Carnegie Endowment for International Peace, *The Budget of the United Nations* (New York, 1947, 63 p.).

⁵² Carnegie Endowment for International Peace, *Coordination of Economic and Social Activities* (New York, 1949, 109 p.).

⁵³ Carnegie Endowment for International Peace, *Consultation between the United Nations and Non-Governmental Organizations* (New York, 1949, 71 p.).

⁵⁴ Walter H. Zeydel and Waldo Chamberlin, *Enabling Instruments of Members of the United Nations* (Carnegie Endowment for International Peace, New York, 1951, 126 p.).

⁵⁵ Chatham House Study Group, *Atomic Energy, Its International Implications* (Royal Institute of International Affairs, London, 1948, 128 p.); *The Absolute Weapon: Atomic Power and World Order*, ed. Bernard Brodie (Harcourt, Brace, New York, 1946, 214 p.).

BOOK REVIEWS

Seedtime of the Republic: The Origin of the American Tradition of Political Liberty. BY CLINTON ROSSITER. (New York: Harcourt, Brace and Co. 1953. Pp. xiv, 558. \$7.50.)

Professor Rossiter has written an outstanding book on American political thought in the colonial and Revolutionary periods. It is based on a very thorough canvass of both primary and secondary literature in the field and is presented in a style as graceful as it is forceful and clear.

The book is divided into three parts of approximately equal length. Part One is a brief history of the political, religious, economic, social, and intellectual factors which worked during the colonial period toward the emergence of liberty. Part Two consists of essays on six men of the same period whose ideas anticipated or contributed to the American tradition. Thomas Hooker and Roger Williams are chosen to represent the first generation, John Wise the middle period, Jonathan Mayhew, Richard Bland, and Benjamin Franklin the decades just prior to the Revolution. All are excellent choices, though this reviewer, sharing the author's belief that our tradition of liberty owes something to its conservative forebears as well as to its democratic heroes, regrets the omission of a stout colonial conservative of the early period. Five of the subjects are familiar figures, but in recreating the career of Bland, Professor Rossiter has made a most valuable move toward unearthing Southern political thought of the late colonial era. With one exception, these chapters are distinguished by extensive research, excellent organization, felicitous writing, and balanced judgment. Oddly enough, the treatment of Roger Williams is disappointingly sketchy and superficial. Williams left a very full record of his political ideas and, to this reviewer at least, they add up to much more than a bundle of "various elements of seventeenth-century republicanism" brought over from England. He combined an almost Hobbesian conception of human nature with a radical belief in liberty, and an expansive belief in political equality with the Puritan conviction that God had chosen and endowed certain men with special talents for governmental leadership. Such ideas are not without relevance for modern democracy, and they might have been analyzed with fruitful results.

To present the heritage of Revolutionary thought in the concluding section of the book, Professor Rossiter has chosen a very different method from that used in Part Two. Instead of singling out a few leading spokesmen he has recorded the voice of the Revolution as the great chorus that it was. Pamphlets, essays, letters, sermons, speeches, resolutions, laws, constitutions—these are the raw materials from which is condensed an extraordinarily concise and yet comprehensive statement of the beliefs that led to independence and to the establishment of republican governments. The author emphasizes the conservative nature of the Revolution; the idealism expressed in the Declaration of Independence balanced by a toughly realistic appreciation of man's political

behavior; and perhaps most important of all, the remarkable consensus that existed despite sectional and class divisions. I believe that Jefferson, the Adamses, and all their compatriots would see in this composite intellectual portrait a very good likeness indeed.

As a survey of the growth of liberty during the colonial period, of the careers and ideas of outstanding colonial leaders of libertarian persuasion, and of the political thought of the Revolution, this book is superb. In spite of many excellent qualities, however, it remains, in the end, unsatisfying. In the first place, the book does not really hang together. Most of the men described at length in the heart of the study do not appear to have had direct influence on Revolutionary thought, and Professor Rossiter is quick to admit this. The men of '76 simply did not turn to them for either ammunition or inspiration, though they could have done so with profit. Thus in effect Part Two explores a fine ideological road to the Revolution which the patriots might have taken, but in fact did not.

A second reason for disappointment is the failure of the author, after an industrious tour of research, to come up with new perspectives or fresh insights. One does not want novelty for its own sake, but there is still much about the formative period of our tradition that we do not know or fully understand. For example, in spite of all that has been written about the direction and extent of Puritanism's influence, some questions remain unanswered. How did it happen that at the time of the Revolution, New England Puritans and Southern Anglicans shared so large a body of common political ideas and attitudes? In the essay on Hooker, Professor Rossiter suggests that "the magnificent theories of the social compact, the sovereignty of the people, and the authority of the electors to set limits upon the elected," were "seeds of liberty hidden away in the brittle pod of Puritanism." These ideas were not peculiar to Puritanism. Were the Puritans nevertheless responsible for making them operative in America, or were they part of a common English heritage which asserted itself regardless of the religious context?

Doubtless we shall never be entirely successful in tracing the ideas that accompanied the long colonial experience in self-government, and at the time of the Revolution helped shape so definitively our basic political structure of separation of powers with checks and balances. Recognition of self-interest as a dominant political motive and fear of party and faction were characteristic beliefs of the men who wrote our first state constitutions. These attitudes were deeply rooted in the past. In the New England election sermons of the middle period, for example, one can see reflected very clearly the colonists' concern with the problem of discovering the true public interest and making it prevail over the conflicting claims of individual and factional interests. It would be useful to have this and other vitally important parts of our political heritage thoroughly explored.

Perhaps it is unjust to criticize Professor Rossiter for failing to push further beyond the frontier of our knowledge in this area. What he has done, he has

done exceedingly well, and his book cannot but be rewarding to all who share his desire to make the tradition of American liberty a continuing one.

CECELIA M. KENYON.

Smith College.

The Electoral System in Britain, 1918-1951. BY D. E. BUTLER. (London: Oxford University Press. 1953. Pp. xiv, 222. \$4.25.)

The Party System in Great Britain. BY IVOR BULMER-THOMAS. (London: Phoenix House Ltd. Distributed by the Macmillan Co. 1953. Pp. vii, 328. \$5.00.)

Americans have long been familiar with empirical—even statistical—techniques of examining political parties and elections. Political scientists in Britain, however, have only recently undertaken such studies, having long preferred to devote attention to such other matters as the working of Parliament, the nature of executive institutions, and the legal theory of the constitution. Indeed it would seem that only foreign scholars—notably Lowell, Ostrogorski, and Seymour—have subjected the British system of parties and elections to the diligent scrutiny that such matters have long received in this country. Under review are two valuable books by British students that break with this tradition. Mr. Bulmer-Thomas's book is the first work on the British party system since Ostrogorski; and Mr. Butler's book is, I believe, the first serious analytical study of the operation of the whole of the British electoral system.

Of the two, the Butler book is doubtless the more important. It is a work of unquestionably sound scholarship, based on careful research, and representing the product of several years of study. The author has been associated since the war with the team of scholars at Nuffield College, Oxford, who have undertaken the systematic investigation of the electoral process and who have now published formal studies of the last three general elections.¹ The present volume consists of two related parts, the first comprising a history of electoral reform since 1918 and the second (about one-third of the total) a series of analytical studies of various electoral problems. The chapters on the history of electoral reform serve as a sequel to the earlier works of Seymour and Morris² and, apart from their important contribution to this history, are chiefly remarkable for their demonstration that electoral reform has been much less important a subject of political debate in the twentieth century than it was in the nineteenth. This is somewhat surprising in view of the important reforms of 1918, 1928, and 1948; but apart from the struggle over university seats in 1948, there has been little significant controversy. The most vigorous arguments, as Mr. Butler says, "tended to be not so much about the merits of the proposal at issue as about the propriety of putting them forward." This does not mean, however, that the

¹ R. B. McCallum and A. Readman, *The British General Election of 1945* (Oxford, 1947); H. G. Nicholas, *The British General Election of 1950* (London, 1951); D. E. Butler, *The British General Election of 1951* (London, 1952).

² C. S. Seymour, *Electoral Reform in England and Wales* (New Haven, 1915); H. L. Morris, *Parliamentary Franchise Reform in England from 1885 to 1918* (New York, 1921).

parties have always been in agreement on such proposals. Butler's study clearly shows this to be "the exception rather than the rule." Only in the wartime coalitions have changes been initiated as agreed party measures, and even one of these (1944) led to charges of broken faith.

The historical section is based primarily upon an exhaustive survey of *Hansard*, supplemented where possible by memoirs and periodical comment. The author has searched his sources thoroughly, as is illustrated by such observations as that on page 134 that a certain member, "for the third time in four years, told the House a story about an election for Belfast University." But whether the resources are yet available for the definitive history is open to question. The events of which Mr. Butler writes are both recent and controversial and many persons yet living have an interest in their interpretation; doubtless some of the evidence is not yet in. But the available materials have been skillfully employed and much has been added to our knowledge of this complex problem.

Even so, the second part of the book on the "working of the system" is of greater importance to political scientists. This is an extremely able study of several aspects of the electoral system based primarily on the election statistics themselves from 1918 onwards. From them the author has drawn conclusions about many important matters such as the significance of the business vote (it had little), the validity of prediction based on by-election results (risky), and the forfeiture of deposits (on the increase). Some of these analyses lay the groundwork at least for a new technique in the study of British elections. By his examination of electoral statistics, for example, Mr. Butler concludes that if P.R. had been adopted, as has at various times been urged by Labour or the Liberals, only two elections of the past eight would probably have returned a party with a clear working majority; furthermore, the alternative vote, which also has had its devoted advocates, would have produced little effect on either the control of the House or the size of majorities.

Perhaps the most interesting feature is the author's description of his own technique of analyzing the returns and his application of this technique to the problem of the relation between seats and votes. He makes clear that no redistricting can be either adequate or final and has at considerable pains shown just how much the present system is prejudiced in favor of the Conservatives. His book is a major scholarly contribution and one may reflect that if the sort of analysis it presents had been available earlier, the progress of and the debate over electoral reform that he here describes might have taken a different course.

It might also have been employed with profit by Mr. Bulmer-Thomas, whose book is of an entirely different sort. This author is a man with close personal experience of the party system of which he writes. He served as a Labour M.P. and minister until 1949 when he crossed the floor and joined the opposition, later standing unsuccessfully for election as a Conservative.

His book, like Mr. Butler's, starts with an historical introduction but its principal purpose is to afford a general description of the parties and the party system. It is pitched at a somewhat lower level of scholarship than is the Butler

book and is intended for a much wider audience. This it should achieve, for the subject is of general interest and the discussion of it is able. One might expect from a writer with such intimate knowledge of both parties something less than complete impartiality, yet it is only rarely that the author's personal views are allowed to creep into his discussion. No doubt this is praiseworthy, but at the same time it is a little unfortunate that he so successfully excludes himself from his book. A man with so rich an experience might have shed much light on the party life of an M.P., on his ambitions and frustrations, on his relation to whips and leaders, and on the making of a parliamentary career. Moreover, by concentrating on party organization and structure, he slights the more important questions of the political process itself and the role of party in the determination of policy. Notwithstanding these missed opportunities, his chapters are sound and his discussion helpful.

There are a few sparkling high spots of special interest and value. One is a chapter on the decline of the independent member and another is a fascinating ten pages on the impact of non-party interest groups on the regular party organization. In several such chapters Mr. Bulmer-Thomas makes a real contribution to our understanding of British politics.

His book has been rather severely criticized in England as being too hastily written and, though interesting and useful, rather unsubstantial. There is some truth in the charge; several errors of fact, form, and even typography attest to hurried composition and imperfect editing. But the criticism is too severe. Mr. Bulmer-Thomas makes no claim on scholarship and his book is not meant to be a treatise. Yet it is the first coherent effort to explain the British party system in half a century; the author has done a workmanlike job and, if he has done little "original research" in its preparation, he has read widely in the secondary materials and has not confined himself to his own recollections. Indeed he has ignored them too much. It is unfair to criticize him for writing on so broad a subject without primary research when we can at the same time benefit from the researches of Mr. Butler on the much narrower one. The necessary spadework (such as is here represented by Butler's book) has not yet been done. We need both kinds of effort and should indeed welcome both these books.

WILLIAM S. LIVINGSTON.

The University of Texas.

The China Tangle: The American Effort in China from Pearl Harbor to the Marshall Mission. BY HERBERT FEIS. (Princeton: Princeton University Press. 1953. Pp. x, 445. \$6.00.)

The general conclusion of this important book is stated in the final pages (pp. 429-430) and is both a summary and the recurring theme. The American effort in China after Pearl Harbor "was bent to four connected ends: to uphold the Chinese people in the war against the common enemy; to restore China as a whole and independent country; to secure for China a place of great authority among the nations; and to bring to an end the grave social struggle among the Chinese people. The China we strove to create—a free, strong, democratic and

friendly nation—would be, we conceived, a needed partner in assuring peace and security for all in the Far East.” In attempting to fulfill these purposes, the author says, “we made great exertions. . . . Our friendship was firm, rejecting every chance to benefit by compromise those who wanted to reduce or rule China. . . . In retrospect, we may have done less in and for China while the war for Europe was being fought out than we might safely and wisely have done. We thought we were only deferring the greater aid until that part of the world-wide struggle against tyranny was won. And then the unexpected happened: the war in the Pacific ended abruptly before our effort in behalf of China reached its planned fullness.”

In preparing the narrative which illustrates and leads up to this conclusion, the author has gone through much of the mass of printed sources, including not only the substantial volume, *United States Relations with China* (the famous and much-discussed China White Paper), but also the mountainous accumulation from the Senate subcommittee hearings following the dismissal of MacArthur, the investigation of the Institute of Pacific Relations, and the investigation of the loyalty of the employees of the State Department, both also by Senate subcommittees. He has made use of much unpublished manuscript material left by some of the principal actors, pertinent files of the State Department, and papers in the Roosevelt Library at Hyde Park. He has interviewed numbers of those in prominent posts—most of them in the government of the United States, but also at least one in the Nationalist government—who were involved in the issues which are covered.

Dr. Feis has sought to be objective, notably so in handling the highly controversial topics which his subject demands that he treat. In this his success is striking. On some points he has not hesitated to express his opinions. On others he frankly disclaims the possession of enough data to venture on a conviction.

The result is a volume which is a “must” for all seriously concerned with the foreign relations of the United States. It is a book that will last. For years to come anyone dealing seriously with the subject which is its theme will find reference to it both helpful and necessary.

The author covers all the main aspects of his assignment. As is proper, he devotes much attention to military matters. He has a great deal to say on the contrasts in procedure advocated by the various generals—of Chiang Kai-Shek’s requests and their only partial fulfilment, of the differing proposals for the recapture of Burma, of the conflict between Stilwell and Chiang, of the opposing plans of campaign of Chennault and Stilwell, and of the fashion in which, taking over after Stilwell, Wedemeyer eased the tensions. He describes the relations between the Kuomintang and the Communists. He narrates the efforts of various Americans, including Hurley, to bring the two together in the common effort to defeat the Japanese and to resolve without exhausting civil war the reciprocal antagonisms. He notes the growing distrust of Chiang and the Kuomintang which was exhibited by many Americans, both those in official position and the representatives of the press, and the good press given the Communists with the impression that they were not true Communists—but

rural reformers. He remarks how few if any Americans dealing with China, whether in the diplomatic service, in other branches of the government, or not in government employ, were familiar with Communist literature in general and in particular with the writings of Mao Tze-tung and those associated with him. He records the repeated assertions of Stalin and Molotov to highly placed American officials that they did not regard the Chinese Communists as true to that name and that in defeating the Japanese reliance must be placed on Chiang and not on the group in Yen-an. He does not venture an opinion as to whether these statements were honest or were attempts to mislead the United States. The author has much to say of the Yalta Agreement, of its outgrowth from preliminary efforts to draw Russia into the war against Japan, of the attempts, only in part successful, to tone down Stalin's demands in Manchuria, and of the wording which was capable of contrasting interpretation by the Russians and the Americans. He points out the lack of coordination between the several branches of the United States government in dealing with China and the fact that most and perhaps all of the time the State Department had only a minor voice in the major decisions.

The book is one to read and ponder. It is to be hoped that the author will go on with the story, carrying it through the Marshall mission and eventually through the Korean war.

KENNETH SCOTT LATOURETTE.

Yale University.

Asian Nationalism and the West: A Symposium Based on Documents and Reports of the Eleventh Conference of the Institute of Pacific Relations. EDITED BY WILLIAM L. HOLLAND; GEORGE MCT. KAHIN, PHILIPPE DEVILLERS, T. H. SILCOCK, AND UNGKU A. AZIZ, CONTRIBUTORS. (New York: The Macmillan Co. 1953. Pp. viii, 449. \$5.00.)

The "liberation" phase of Asian nationalism, William L. Holland asserts in his introduction, has largely ended, and as that nationalism enters new stages of development, a more accurate comparison of its distinctive properties may be possible. There have been few attempts, however, to characterize the various Asian nationalisms in the post-colonial stage. Native leaders, preoccupied with the attainment of independence and the problems that confront infant nations in a power world, have been unable to give specific form and content to their national aspirations, often continuing to utilize "anti-colonial" slogans that have lost their validity in recent years. This "political lag" and the ambiguity of national goals, Holland cautions, breed a situation that extremists might exploit.

This book presents a considerable body of material on the background of and recent developments in nationalist movements of South and East Asian nations, although it does not pretend to be a comprehensive treatment of the problem in each country. The symposium is divided into three parts. The first section is Holland's introduction, "New Trends in Asian Nationalism," devoted in part to comparisons and to outlining the problems that the post-colonial

stage of nationalism poses to the area as a whole and to the West; and in part to treatments of aspects of nationalism in six nations, three of the discussions being extracted from papers read at the I.P.R. Conference at Lucknow in 1950. There is a short study of economic and cultural nationalism in the Philippines, an analysis of prewar nationalism in Japan, a discussion of the ethnic and religious components of nationalism in Burma and Ceylon, and an excellent comparison of Indian with Chinese nationalism. This section, of course, was not designed to develop more than specialized facets of nationalist movements; nevertheless one keeps expecting a discussion of the interplay between social and economic factors and fuller treatment of Communist machinations in the respective nations under consideration. It was no doubt impossible to analyze all of the important variables operating in the complexity of Chinese nationalism in the few pages devoted to this topic.

Some of what is lacking in the first section is taken up in the concluding section of the study. It might have been advantageous to combine a portion of the two to give a more comprehensive treatment, perhaps in summary, comparative form. This last part of the book is devoted to summaries of the round table discussions at the Conference. Here the conferees run the gamut of Asia's problems: poverty and population, industrialization and diversification, investment and technical assistance, Communist tactics, and the transplanting of Western institutions to Oriental soil. Nor are the problems of foreign policy overlooked: Kashmir, Formosa, Korea, Pacific Pact, New Guinea, and the role of India. Much of this section is helpful in pointing up attitudes of Asians toward their own problems, their anxieties over Western policy, and some of their misunderstandings of that policy. There are some minor inconsistencies in either the discussion or the reporting, as, for example, over the question of whether the Malayan Communists were receiving outside aid (pp. 368, 389). Some observers today would take issue with the consensus of one panel that the Communist government in China was "probably a vast improvement" over its predecessor. The book was unfortunately delayed in going to press, with the result that the discussion of the treaty with Japan is dated; moreover, the members of that panel tended in some respects to be a little too optimistic in their appraisal of the Japanese scene. The total study, already encompassing a wide area, does not include an analysis of Korean nationalism.

A central portion of the book is a reprint of three of the Conference documents. The first, "Indonesian Politics and Nationalism," by George McT. Kahin, is a documented analysis of the cultural and political forces that fashioned a nationalist movement capable of filling the power vacuum left by the surrender of the Japanese. The author recounts historically the development of the unitary state (he disagrees with those who consider the Hague Agreement a legal barrier to the abandonment of the federal system) and the evolution of the various Indonesian ministries and the difficulties they faced. There follows a rewarding examination of the problems confronting the new state, especially those of bureaucracy, personalized politics, and the relationship of ruler to ruled.

"Vietnamese Nationalism and French Policies," by Philippe Devillers, is a translation of the closing chapters of a larger work in French. This Conference document advances the thesis that at the end of the war the Vietminh regime in Indochina was an unpopular one. A clearly enunciated and quickly executed policy (looking toward independence) on the part of France, he contends, would have encouraged the emergence of nationalist forces to compete with the power of Ho Chi Minh. However, French procrastination, largely resulting from the internal bickering at home, enabled the Communists to strengthen their control over the nationalist movement. Although Bao Dai was able to exact important concessions from France, the delayed transference of sovereignty weakened his hand and made Communist propaganda more effective. There is a paucity of documentation in this work, and a discussion (which was included in the original treatise) of the relationship of the Ho forces to international communism and the French Communist party would have been revealing.

In their paper, "Nationalism in Malaya," T. H. Silcock and Ungku A. Aziz have clearly spelled out the peculiar characteristics of the nationalist movement in that area, with special emphasis upon racial discord and external influences. The authors deal with the effects of the Japanese occupation upon the several racial groups, following with an historical treatment of postwar developments and problems and the interrelation between communism and the components of nationalism. A few additional references and a more complete treatment of the impact of Britain's recent trade policies would have been helpful contributions to an up-to-date analysis of the Malayan situation.

The treatment of such a broad, evolving, and complicated phenomenon as Asian nationalism must in certain respects be cursory, and the minor criticisms implicit in this review in no way detract from the vast array of useful data and challenging comparisons that portray the complexity of Asia's problems.

JOHN E. TURNER.

University of Minnesota.

Governing Postwar Germany. BY EDWARD H. LITCHFIELD AND ASSOCIATES. (Ithaca: Cornell University Press. 1953. Pp. xvii, 661.).

Among the numerous books dealing with Germany published in the United States since World War II this book is likely to be regarded generally as one of the most important. Its authors have brought to their analysis more than ordinary professional background and have also had the opportunity to observe developments from official positions in most cases. The book has been in course of preparation for several years and its scope and contents have been reviewed again and again—indeed few works dealing with current problems have received as careful planning and preparation. While by no means avoiding conclusions, the authors have gone to considerable pains to present their material objectively and to explain various points of view. Though dealing with a rapidly changing situation the book should contribute to the work of serious students for some years.

The arrangement of using a group of collaborators has the advantage of bringing together the broad experiences of a number of persons. No one looking

even casually at the records of this particular team can be oblivious to the remarkable coverage involved. The use of a group presents certain difficulties: the avoidance of duplication and overlapping, the agreement on level of treatment, the exact period to be covered, and so forth. In a group which includes the *prima donnas* to be noted in this particular collection such complications could prove beyond control and the editor deserves great credit for achieving the large measure of success to be observed. That is not to say that there is no overlapping—a reader notes a fair amount of repetition in the chapters dealing with political parties and governments in Soviet Germany and in the ones discussing the constitution of the Federal Republic and legislation, for example. Nor can it be stated that every topic is presented in the same detail—personnel management is dealt with far more thoroughly than organization and methods control. Moreover, the period covered is not the same in every case—Professor Brecht, for example, brings his discussion of public personnel up to the middle of 1953 while Dr. Glaser in his consideration of Eastern Germany closes with 1951.

Other problems frequently almost insurmountable in the use of a group of persons who have participated in spectacular programs such as the occupation of Germany are those of keeping personal reminiscing within reasonable limits, and of attaining proper objectiveness. The impossible has not been accomplished here, as one may note in reading Dr. Grace's chapter on education, which dismisses the three years of his predecessors as "more or less devoid of an educational and cultural relations effort" (p. 458); but the editor has managed to do more in this respect than one might expect, perhaps because he has himself set the tone in his two introductory chapters.

Aside from the divergencies noted above there is one weakness which appears of major import to this reviewer: the slight attention paid to "the executive," the "policy-determining organs of government," and the like. The chancellorship, the presidency, and the cabinet are mentioned in passing in the chapter entitled "The Constitution of the German Federal Republic," but no detailed treatment of this most vital aspect of government is attempted anywhere in the book. Of course, it is not a simple matter to penetrate into some of the "holies of holies" here represented, but some of the participants might have thrown a fair amount of light on what in the last analysis would seem the central point of government.

Space does not permit more than the barest additional comments, but some reference should be made to the admirably written and illuminating chapters of Dr. Litchfield dealing with the evolution of postwar governments, the excellent chapters of Roger Wells discussing state and local government, the outstanding analysis which Dr. Brecht makes of personnel management, and the two concluding chapters on parties and elections by R. M. Scammon. Contributions by Karl Loewenstein, Rodney Mott, John Hay, A. M. Hillhouse, Taylor Cole, and Howard P. Jones are all of a high level. A carefully selected group of documents, some of which are not readily accessible elsewhere, concludes the volume.

HAROLD ZINK.

Ohio State University.

The Diplomats: 1919-1939. EDITED BY GORDON A. CRAIG AND FELIX GILBERT.
(Princeton: Princeton University Press. 1953. Pp. xiv, 700. \$9.00.)

In the roseate glow of the false dawn that followed the Paris Peace Conference, many Americans and some Europeans were only too glad to persuade themselves that the time had come to bury that sinister figure, the diplomat. Before the tombstone could be erected, however, the corpse was hustled back to life. Even fortunate America, protected from foreign sin by her oceanic moats, ultimately had to learn to coexist with all sorts of strange bedfellows through the old-fashioned bundling process of diplomatic accommodation. *The Diplomats: 1919-1939* focuses a searching spotlight on the activities of a number of prominent practitioners of that ancient art who played significant roles in the world drama during the interwar period.

This volume should not be thought of nor judged as a traditional diplomatic history. In the words of the editors, "the basic problem with which this book is concerned is that of the significance which traditional diplomacy possessed in a period in which its institutions were assailed from the democratic, as well as from the totalitarian, side but during which . . . it continued to be employed by all Powers as an instrument for attaining national objectives." And, for Americans in the audience, the editors add that "a book which shows how dangerous suspicion of the conventions and practices of diplomacy can be, if it is not modified by an earnest desire to make use of those aspects of the diplomatic art which have been proven by time and experience, may serve a useful purpose." In spite of some regrettable omissions, due primarily to lack of adequate evidence, these essays throw light on most of the major figures. And the presentation is enhanced by exceptional clarity, discernment, polish, and economy of language.

One is reminded by this analysis that diplomacy did not flourish equally well in all climates during the period reviewed but tended to prosper only when a nation cast anxious or covetous eyes beyond its borders, usually related to some real or imagined threat to its survival, and when there was no overwhelming preponderance of power for or against it. One is also impressed with the fact that, as in most professions, here also experience and specialized skill can be of decisive importance. No amount of righteous fulmination on the part of William E. Dodd, United States ambassador in Germany from 1933 to 1937, could compensate for his deficiency in diplomatic background and hence lack of appreciation and capacity for objective, comprehensive, and intensive reporting. Contrary to the popular impression in some quarters that an envoy is little more than a glorified messenger boy, this study reveals that several of the more effective diplomats wielded significant influence in making policy as well as implementing it. In all countries, moreover, the growing complexity of international relations has widened the scope of the diplomat's participation and made the task of coordination more difficult. As the State Department had such competitors as the Board of Economic Warfare, so Wilhelmstrasse had its *Büro Ribbentrop*.

This analysis also provides fresh insights regarding the incessant balance of

power process. Perhaps most significant is the evidence which reminds one that that process is never automatic or inevitable in its operation. Aside from the difficulty of weighing various national power potentials at any given moment, there are the ideological factors that lead men to resist making decisions on a sheer material power basis. The classic interwar example of this was the reluctance of England and France to counteract the rising tide of Nazi aggression by joining forces with the Soviet Union. Furthermore, it is clear that one must not underestimate the ethical considerations that lay behind much of the so-called appeasement movement, especially among British socialists and religionists. Above all, one is impressed with how eternally difficult and time-consuming it was, and continues to be, to harness two "sovereign" nations together with any degree of effective and continuing synchronization, even with considerable goodwill on both sides, as in the case of Britain and France.

All in all, few historical treatments of diplomacy have given us as rich and useful an account as this. This reviewer wishes only that the authors had made their criteria for evaluation more explicit and their judgments more intensive. What criticism there is deals primarily with the accuracy of the diplomats' reports and forecasts. It seems unfortunate that there is no deeper and more direct exploration of the failure of so many interwar envoys, including representatives of relatively democratic governments, to be bolder protagonists of democratic rather than antidemocratic objectives, especially since the authors recognize the policy-influencing role of the diplomat.

H. FIELD HAVILAND, JR.

Haverford College.

Sociology and Psychology of Communism. BY JULES MONNEROT. TRANSLATED BY JANE DEGRAS AND RICHARD REES. (Boston: The Beacon Press. 1953. Pp. 339. \$6.00.)

European Communism. BY FRANZ BORKENAU. (New York: Harper & Brothers. 1953. Pp. 564. \$6.00.)

Monnerot's volume does not live up to its ambitious title. It contains some interesting observations in the Freudian and Jungian vein on the psychology, not so much of communism in particular, as of dictatorship and secular religion in general. It is based almost exclusively on secondary sources. Though it may be argued that in dealing interpretatively with so vast a topic one need not necessarily use primary sources, it does arouse suspicion if an author betrays ignorance of the standard works quoted by him. Thus, to mention one example only, Monnerot reproaches Michels for his alleged failure to "allow for the fact that German social democracy . . . succumbed unconsciously to the pervasive Prussian influence of the prestige of the German army . . ." (p. 33).

The author claims to present a sociology of communism, but the reader will search in vain for even the most rudimentary data on the social structure of the Communist parties or the institutions of the Communist regimes. Instead, he is given some rather commonplace socio-philosophical observations about communism as a totalitarian dictatorship and as a secular religion. Instead of

investigating communism's novel and unique qualities, Monnerot interprets it as merely another form of Islam, Caesarism, or tyranny, without every clarifying these concepts.

While Monnerot's approach is by far too general and too vague to yield significant new insights, Borkenau almost overwhelms us with factual details. As a lifelong student of communism trying to present the history of European communism, he has no doubt the right and the duty to be specific; yet, in this work, he does not manage to combine historical and sociological methods as successfully as in his *World Communism*. Nowhere does the present volume reach the high level of those chapters of his previous book in which he so brilliantly explained the unique condition of Russian culture as a basis for Bolshevism and so acutely analyzed the social composition and fluctuation of the Communist parties. When Borkenau wrote his earlier work, he had indeed been close enough to communism to know it at first hand and far enough removed to evaluate it without excessive bitterness.

The present book is considerably more subjective. Though all of us will agree that communism constitutes a formidable threat to Western civilization, not everyone will identify it with fascism. Nor is it a mere extension of the apparatus of the secret police. In the underdeveloped parts of Asia or in countries shaken by crises, such as Italy or France, the Communist movement is, even today, a perverted expression of genuine yearnings of the masses of workers and peasants for a better life. Unfortunately, Borkenau underrates this aspect of communism as a manipulated mass movement. Hence his history of communism becomes a sequence of ideological, organizational, diplomatic, and military moves and maneuvers. Finally, as against his *World Communism* with its bibliographical notes, the scholarly apparatus of *European Communism* is quite inadequate. So controversial a subject treated so subjectively needs the most painstaking and thorough documentation.

Nevertheless, Borkenau's book is indispensable reading for the student of communism, who will appreciate the competence of the author in using rare and almost unknown material. The general reader will at least enjoy an immensely interesting story told in masterly fashion. The first chapters constitute the best summary ever written of the origins of the Third International and the developments from 1919 to 1934. Part II of the book deals in great detail with Popular Front policy, tracing its ups and downs in France and Spain. In Part III Borkenau tries to recapture the shifts and twists of the Communist strategy in the days of the Hitler-Stalin pact and the war alliance with the West. The concluding part contains much valuable material on the progress of communism in Western Europe and in the Popular Democracies all through the forties.

In contrast to Monnerot's ill-fated attempt, Borkenau's book is a valuable contribution to the understanding of communism. Perhaps it is permissible to express the hope that, one day, the author will use his profound knowledge of the subject to give us a real treatment of the sociology and psychology of communism.

OSSIP K. FLECHTHEIM.

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The Federal Loyalty-Security Program. By ELEANOR BONTECOU. (Ithaca: Cornell University Press. 1953. Pp. xi, 377. \$5.00.)

Even the casual observer cannot in recent years have escaped some impressions that loyalty and security constitute important issues in the federal service. The findings of the Canadian Royal Commission investigating espionage in that government, the accounts of espionage methods given by Whittaker Chambers and Elizabeth Bentley, and the case of Judith Coplon, all point to the existence in the Communist party of "a hard core of disciplined and dedicated revolutionaries, who can be relied on to penetrate the ranks of labor, government, and intellectuals and in this way gain what Mr. Justice Jackson has called 'a leverage over society'" (p. 7). To our knowledge gained from the facts about disloyalty and espionage among public servants have also been added, ever since the days of Congressman Dies, widespread fears based on the well publicized fancies of a number of legislators.

In this context has grown up the "federal loyalty-security program." What began as shrill and spasmodic attacks on the loyalty of a few public employees has in little more than a decade become a rather respectable program of personnel administration. It partakes of the typical characteristics of the bureaucratic way of life. In seven appendices this book assembles almost a hundred pages of statutes, executive orders, rules and regulations, memoranda, and the other paraphernalia of the program. While this machinery often gives evidence of having been improvised, it grinds away as a costly part of our system of personnel administration. Had Miss Bontecou been able to include the recent changes in the program under the Eisenhower Administration, she would simply have confirmed how fully accepted is the logic of probing into the loyalty of federal employees.

In its carefully developed detail, this volume focuses sharply on the portentous development of the purpose of the program. Stated generally, the program of course is intended to prevent the employment of persons who are disloyal and who might endanger the security of the United States. But what kinds of acts mark a man as disloyal? What overt conduct permits a loyalty board to infer that his devotion to the United States is at a dangerously low level?

From the cases that have come before the loyalty boards Miss Bontecou has put together a disconcerting picture of the answer to these questions. She reports: "Among the eighty-five [cases] studied by the writer, not one was found which involved charges of treason, sedition, espionage, sabotage, or advocacy of the overthrow of the government by force or violence, and no such cases were reported by the agency officials interviewed" (p. 105). Rather, disloyalty means "communism." But communism is not judged simply by membership in the Communist party or in organizations closely identified with it. In the light of charges brought against federal employees, communism can be said to include sympathy for the party line, reading Communist literature, and, most commonly, association with individuals "who in turn are said to be subversive or connected with organizations named by the Attorney General" (p. 110). "Proof" of charges such as these permits the inference that the individual accused is disloyal.

Miss Bontecou's analysis of "derogatory information" and the "Attorney General's list" supplies the key for understanding "proof." The loyalty boards make their charges essentially on the basis of investigation reports containing derogatory information. The accused employee must then rebut the presumption of disloyalty created by the charges. Derogatory information may be highly irrelevant (the parking of one's car in the neighborhood of a Communist front meeting) and, even worse, may be entirely false. But the investigative process is not adapted to determining relevance or truth. The Attorney General's list is a similarly inept tool. As Miss Bontecou points out, "No one can be sure that at some future date the Communists may not attempt to capture the organization to which he belongs. . . . If the Communists succeed, one's present or future career may be jeopardized under the present practice" (p. 204). Yet the burden of answering charges based on the irrelevant and the false rests upon the accused employee. Moreover, the mechanics of adjudication do not ordinarily permit him an opportunity to confront or cross-examine his accusers. He has no way of meeting the implication that he is disloyal by virtue of membership in an organization on the Attorney General's list.

The present direction of the loyalty-security program seems to Miss Bontecou to find its closest parallel in the Holy Inquisition rather than in Anglo-American legal tradition. But the courts have not yet clearly determined the major questions about the rights and duties of public servants. Hopefully, the analysis of this volume suggests that perhaps the courts "will find that they are not really being asked to choose between the conflicting interests of individual freedom and national security, but are dealing with different aspects of the larger problem of national security. They may then decide that the maintenance of our traditional freedoms and our traditional respect for fairness is as necessary to our safety as a free nation as are the forging of secret weapons and the raising of armies" (p. 236).

As a study of civil liberties this book provides cause for real alarm. But have we perhaps gained security? It seems fair to infer that we have not. Indeed, it may be that the whole program has weakened the public service and thus damaged our national security. But even on its own terms the program has not quieted the hysterical legislators nor reassured those genuinely anxious about security.

How does it come, then, that we appear willing to hang so defective a program on our personnel system? Miss Bontecou recognizes that the answer to this fundamental question must be sought in the "predominantly illiberal" mood of the public at present. Perhaps what seem to be failures in the program merely are forecasts of success—success measured by new standards, where secret testimony of F.B.I. informers, proscription by fiat of the Attorney General, and thought-control by loyalty boards become genuinely efficient instruments to destroy heresy and insure loyalty.

EGBERT S. WENGERT.

University of Oregon.

The Constitutional Principles of Thomas Jefferson. BY CALEB PERRY PATTERSON. (Austin: University of Texas Press. 1953. Pp. x, 211. \$4.00.)

Significant indeed is the persistence and universality of the influence of Jefferson. This son of the earliest frontier was the first thoroughly American national statesman in that he freed himself from the clutch of alien dogmas and adapted his ideology completely to the American scene. Let it never be forgotten that he was the patron saint of every major American political party except the Federalist. The Whigs insisted that, as champions of the legislature against King Andrew I, they were the only real Jeffersonians. The first Republican platform (1856) named but two founding fathers—Washington and Jefferson. Lincoln's letter of April 6, 1859 to H. L. Pierce and others reveals that Republicans were celebrating Jefferson's birthday. "The principles of Jefferson are the definitions and axioms of free society," appears repeatedly in Lincoln's letters. Jefferson can be monopolized by no single group of Americans.

Professor Patterson has read the writings of Jefferson diligently, intelligently, and with a definite purpose. That purpose, however, is not a scientific analysis of the incomparable statesman's constitutional principles, which are used instead in a passionate protest against current trends. The title might well have been "If Jefferson Were Living Today." This reviewer gets the impression he might have been a Bourbon Democrat if not a Liberty Leaguer or even a Dixiecrat. At any rate he would never have been a New Dealer. This pattern of interpretation is forecast in the preface. "For almost one hundred and fifty years, down to the fateful year of 1932, his [Jefferson's] party remained loyal to his conception of the Constitution" (p. ix). Franklin Roosevelt tricked the American people, especially those who elected him in 1932. "They did not foresee that his and his successor's administration would shamelessly abandon those principles" (p. ix).

Professor Patterson considers Jefferson as a lawyer, his "making" of our Constitution, his theory of constitutionalism, his maintaining the fundamental law, his opposition to the strong executive and to bureaucracy, and his views on the judiciary, the general welfare clause, and other constitutional issues.

It is the current abandonment of Jefferson's natural law and natural rights that Professor Patterson most vehemently laments. "The limited state, the agent of man, has been converted to the totalitarian state, the master of man. This boulder of conservatism has been appropriated by our authoritarian liberals and made the Rock of Gibraltar on which the Leviathan statism now rests. This is how the doctrine of Von Treitschke and Nietzsche—the foundations of Hitlerism—the organic state—have been substituted for the natural law as the basis of American government" (p. 65). Justice Holmes is the "father of this revolution" against natural law and along with his disciples on the Supreme Court has achieved what "amounts to the establishment of a unitary totalitarian state in the place of our constitutionally limited federal system of government" (p. 64).

Stern judgment is passed on the erratic electorate because "it chose leaders

who have abandoned the very foundations of our democratic heritage and our constitutional system of government" (p. 63). That there may be no mistake about it the marplots are listed. "Thanks to social scientists, behaviorist psychologists, and modern pragmatists belief in the doctrines of natural law and natural rights is no longer thought to be intelligent or informed. But have we lived to see the day when to be a democrat, one must be a moron, when to have ideals is foolish"? (pp. 63-64).

Professor Patterson's assumption that the Democratic party was faithful to Jeffersonian principles until 1932 ought to be qualified by the fact that Democratic National Conventions refused to pledge the party to the Declaration of Independence from 1844 to 1896. One looks in vain in this treatise for a recognition of the relation of ideology to social forces. For example, condemning the bureaucrats for telling the farmer "what to sow and what to reap and how he can market his products and for what prices" is wasted ink as long as "God's chosen people" won't let even a Republican administration have it otherwise.

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American Capitalism: The Concept of Countervailing Power. BY JOHN KENNETH GALBRAITH. (Boston: Houghton Mifflin Company. 1952. Pp. xi, 217. \$3.00.)

Big Business: A New Era. BY DAVID E. LILIENTHAL. (New York: Harper & Brothers. 1952. Pp. xii, 209. \$2.75.)

Giant Business: Threat to Democracy. BY T. K. QUINN. (New York: Exposition Press. 1952. Pp. 321. \$3.75.)

Thorstein Veblen long ago argued that "the point of view of economists has always been in large part the point of view of the enlightened common sense of their time. The spiritual attitude of a given generation of economists is therefore in good part a special outgrowth of the ideals and preconceptions current in the world about them."¹ Adam Smith's *Wealth of Nations* is a classical illustration in point. Written as a philosophical protest against the web of restrictive controls which under a guild society and a mercantilistic state had been woven into the fabric of the contemporary economy but which under the influence of the new industrialism and rising entrepreneurial class had come to be honored more in the breach than in the observance, it immediately won wide popularity both at home and abroad. It did so because it was the "outgrowth of the ideals and preconceptions" of Smith's world. Throughout the nineteenth century it afforded the rationale and rationalization for a free competitive economy. But as it did so the structure of the contemporary economy was rapidly changing. By the end of the century the Great Combination Movement in this country had transformed an economy of numerous sellers into an economy of few. The first two decades of the twentieth century accentuated the

¹ "The Preconceptions of Economic Science," *Quarterly Journal of Economics*, Vol. 13, pp. 121-50, at p. 125 (Jan., 1899). This article is reprinted in *The Place of Science in Modern Civilization* (New York, 1919), pp. 82-113.

trend. The change in structure called for a new economic theory. It has brought forth Chamberlin's *Theory of Monopolistic Competition*, Joan Robinson's *Economics of Imperfect Competition*, Clark's "concept of workable competition," Schumpeter's "perennial gale of creative destruction," and now Galbraith's *The Concept of Countervailing Power*. The latter has been heralded by its publishers as comparable in its theoretical significance to Smith's *Wealth of Nations*. Many economists will challenge such high praise, but they can scarcely deny that Galbraith's "countervailing power" illustrates that the problems economists think about and the way they think about them are products of the institutional arrangements out of which the problems have arisen. Galbraith has furnished a rationale and rationalization for big business and an economy of the few.

His concept of countervailing power is not difficult to recapitulate, but no recapitulation can do justice to his engaging style and his delightful imagination, or to his broad but sometimes unprecise grasp of the history of industry and of ideas. Galbraith believes that efficient exploitation of modern technology requires business units so large that if left to themselves they will inevitably have power over the market. But not only does technology beget monopoly; monopoly begets technology. Without the large industrial research laboratory, technological progress will inevitably slow down, if indeed it does not come to a halt. The dilemma thus created—that big business is essential to progress but tends to behave like monopoly—is solved by countervailing power. Power on one side of the market begets power on the other side and countervailing power, like atomistic competition in bygone days, checks the avarice of monopolists and turns to public benefaction their remarkable technological achievements.

"The operation of countervailing power is to be seen with the greatest clarity in the labor market, where it is also most fully developed" (p. 121). The United Steel Workers is a direct response to the power of the steel industry. Before its organization, men in the steel industry worked twelve hours a day, seventy-two hours a week, with an "incredible twenty-four-hour stint every fortnight when the shift changed" (*ibid.*). The countervailing power of labor, by putting an end to such intolerable conditions, has brought good to the whole economy. The Great Atlantic & Pacific Tea Company by matching the power of big food manufacturers has brought cheap groceries to every housewife; Sears, Roebuck by "exploiting its role as a large and indispensable customer" (p. 125) has bought Goodyear tires at wholesale so cheaply that it could undersell Goodyear itself in the retail market.

Power blocs do for an economy of big units what competition does for an economy of small units. They are the invisible hand which guides economic activity towards good and gracious goals. But countervailing power cannot be unfailingly relied on. Its germination may not always be spontaneous, and once in operation it may not always be socially beneficial. Rising prices may check its beneficent propensities in periods of inflation. Hence the state must at times play the dual role of creator and regulator. It must bring countervailing power into being when natural forces are inadequate to give it birth and

must regulate it in the upswing of the business cycle. Specifically, the state must at such times set up price controls to protect consumer interests.

Such is Galbraith's comforting doctrine. While it contains some truth, it has shortcomings. I believe that it conceals rather than reveals the real causes of the rise to power of our giant industrial corporations, that it inaccurately interprets their significance to market behavior, and that Galbraith falsely interprets the implication of countervailing power for a democracy.

Galbraith's concept of countervailing power involves a counterconcept, that of original power. This he conceives as the traditional monopoly power condemned by economists, but he does not explain its origin. Original power Galbraith loosely identifies with the power of sellers, countervailing power with the power of buyers: "The long trend toward concentration of industrial enterprise in the hands of a relatively few firms has brought into existence not only strong sellers, as economists have supposed, but also strong buyers as they have failed to see. The two develop together, not in precise step but in such manner that there can be no doubt that the one is in response to the other" (p. 118).

Either may come first, of course, but the response relationship is basic to his theory. Nowhere does he offer any real evidence of this interrelationship. Rather he assumes it. Economists generally recognize that powerful sellers quite often find themselves confronted by powerful buyers, and that when they do their power may be compromised. But to assume that coexistence indicates a causal relationship is false and misleading. The American Can Company and the United States Steel Corporation illustrate this. Both arose out of the complex set of socio-economic forces that gave birth to the Great Combination Movement. Both were the handiwork of professional promoters aiming at power, but neither group of promoters had any notion of or interest in countervailing power. For organizing the Steel Corporation its promoters realized about \$65 million; they also brought temporary stability to an industry threatened by "ruinous" competition. Professional promoters put together the American Can Company and obtained thereby virtually a monopoly of can making. Both concerns absorbed directly or indirectly over a hundred separate manufacturing firms. Industrial history affords no evidence that either of these concerns arose in response to the other. Both arose out of a common institutional framework, the complex web of which cannot be unravelled here.

But perhaps their common rather than their countervailing origin, important as it is to an understanding of the structure of the contemporary economy, would not matter so much to economists if their coexistence—the one as a seller of tin plate, the other as a buyer making tin cans—had brought the beneficial results which Galbraith imagines. It did not. For a quarter of a century after their organization, instead of bringing a compromise that protected canners and ultimately consumers, countervailing power brought secret price discriminations that placed independent can makers at a tremendous disadvantage in competing with the American Can Company. Because American Can as price leader in the industry tied the price of its cans to the price of tin plate, countervailing power meant higher prices for the hundreds of relatively small

vegetable and fruit canners who had neither original nor countervailing power. It nowhere along the way protected the consumer. Other illustrations could be given, but this one makes the point.

The Great Atlantic & Pacific Tea Company and Sears, Roebuck are in some respects happier selections, but neither represents countervailing power in Galbraith's use of the term. That is to say, neither originated because of the existence of power on the other side of the market. On the contrary, both reflect the genius for organizational innovation of shrewd businessmen who saw a chance of turning an honest penny by doing for distribution what the captains of industry had a generation earlier done for mass production. And while no housewife or farmer is likely to complain of the services which these two great organizations daily perform, the myriad of small, powerless sellers who supply them with goods may have a legitimate quarrel with Galbraith for designating these two corporations as illustrations of countervailing power.

Nor does countervailing power always promise salutary compromise in the field of industrial relations. What of the recent steel strike, where stalemate in time of crisis brought unconstitutional seizure of the industry by a frightened and frustrated President? And this points, I believe, to the greatest weakness of Galbraith's analysis. He finds in countervailing power the last great hope for democratic capitalism. If English or German experiences or our own trends toward industrial and political concentration of power have any significance, it seems more likely that the power of private *economic* blocs invites, if indeed it does not demand, countervailing *political* power and perhaps their ultimate coalescence.

A business executive turned author, in commenting recently on public attitudes toward business, said: "What we need is more clear thinking straight from the heart." Mr. Lilienthal's book helps to meet this need. In approaching this subject he states his credo (p. 7; emphasis added):

I believe that we should set about at once to re-examine the outdated structure of our *feeling*, our thinking and our public policy toward Bigness. We should . . . replace it with a foundation of *feeling* and of economic and legal policy based upon the realities of the mid-twentieth century. The times call for a *rousing* affirmation that Bigness can be made the means of promoting and furthering not only our nation's productivity but more important still the freedom and the well-being of its individual citizens.

In proselyting for his faith he has written an impressionistic account of the way in which big business serves society. It is an inspiring account, but it is neither profound nor precise. Mr. Lilienthal confuses big business with big industries; because we need the latter, he assumes that the former is indispensable (Pt. I, "A New Era of Opportunity": Ch. 1, "Feelings versus Facts About Bigness," particularly p. 8; and Ch. 3, "Big Business for a Big Country"). He attributes the prodigious productivity of the past decade to the imagination and daring of our business giants (Pt. III, "The Fruits of Bigness"), but in doing so ignores the expansionary influence of deficit spending by a nation fighting for its life. He is troubled by antitrust suits which tax the energy of business executives and divert them from their customary managerial func-

tions (p. 104), but he fails to examine and analyze the issues and practices involved in the proceedings. In accrediting state regulation of oil production to the farsightedness of big business, he fails to discriminate between reduction of output to maintain prices and control of production to conserve resources (p. 129). He laments the government's suit against the "oil cartel," uncritically concluding before the facts have been established in a court of law that the defendants merely "sought to create some order in the development of world resources of oil, by a kind of production-consumption agreement that has long been recognized as essential" (p. 130). His "responsibility, as a public servant, for industrial operations" and his "study of areas outside" his "own direct experience" convinced Mr. Lilienthal that bigness is essential to high levels of production and low cost in the basic industries (p. 109), and he cites iron and steelmaking as examples (p. 110); but apparently neither his sense of responsibility nor his study has led him to examine the hearings before the House Judiciary Subcommittee on Monopoly before which the president of the world's biggest steel company reluctantly unfolded a sorry story of the corporation's productive inefficiency and managerial ineptness in the quarter of a century before World War II.²

Believing that bigness is betterment, he has harsh things to say about our antitrust statutes, agreeing with Mr. Justice Holmes' privately expressed opinion that "the Sherman Act is a humbug based on economic ignorance and incompetence . . ." (p. 168). Mr. Lilienthal concludes that if we can free ourselves from the shackles of our outworn notions, "Bigness can become an expression of the heroic size of man himself as he comes to a new-found greatness" (p. 204).

Mr. Lilienthal's book is not as confused and confusing as these criticisms suggest. It is an orderly expression of his convictions. It contains a good deal of common sense and shrewd observation. It tells us something about the "new competition" which is apparent to any careful observer of the contemporary scene—the competition of the new product, the better mousetrap, the new process, the improved organization. "In almost every aspect of our life the New Competition is providing us with a kind of 'competition . . . between the objects of desire' undreamed of in the days of the trust busters" (p. 65). It describes in an alluring manner the role of research in big enterprise and gives a graphic and succinct account of diversification and integration in modern business and their significance to competition.

Mr. Lilienthal's book is well written, inspiring, and provocative, but it does not dig deep in searching for the roots that may reveal the kind of socio-economic flower into which bigness may blossom.

Mr. Quinn is a successful businessman turned author and philosopher. The title of his book, *Giant Business: Threat to Democracy*, both suggests the nature of his preconceptions and foreshadows his conclusions. The book's subtitle,

² "Study of Monopoly Power," *Hearings before subcommittee of Committee on the Judiciary*, U.S. House of Representatives, 81st Cong., 2d sess. (1950), Serial No. 14, Pt. 4A, "Steel," pp. 627 *et seq.*, esp. pp. 631, 639, 641, 643-46.

The Autobiography of an Insider, indicates how he came by his ideas. From humble beginnings he rose rapidly to the highest executive level in General Electric, holding when he resigned in 1935 a "top-ranking" vice presidency, the chairmanship of General Electric Contracts Corporation, and directorships in a half-dozen General Electric subsidiaries. He apparently was one of General Electric's "fair-haired boys" and was being groomed while in his early forties for the presidency when he chose to leave the company (Ch. 18).

His long experience on the inside of a "giant" corporation has convinced Mr. Quinn not only that big business cannot be justified on economic grounds but also that it constitutes a threat to democracy. General Electric, he alleges, owes its dominant position in the electric lamp field not to its comparative efficiency but to its having combined the leading lamp manufacturing companies and monopolized the patents indispensable to lamp making. As the only producer of lamp bases, General Electric could keep account of the sales of every manufacturer of lamps with whom it in effect divided the market and from whose business it derived a monopoly profit. "We owned and operated most of the machine and parts factories, which contributed to profits that sometimes ran as high as 40 per cent of our sales and higher . . . in relation to the investment" (p. 74). During the bleak 1930's General Electric's lamp business made profits sufficient to compensate for losses in all other departments (p. 125). No other lamp manufacturer was so fortunately situated. Although General Electric never exercised a similar domination over world markets, indirectly through International General Electric and its patent-licensing system it became a member of the international electric lamp cartel which governed the industry. Mr. Quinn not only concludes that competitive forces were hampered in making and selling lamps, but also challenges sharply the effectiveness of the research laboratories of big business as instruments of industrial progress. He concludes his discussion of the significance of the large research laboratories to industrial innovation with this sweeping and devastating generalization: "I know of no original product invention, not even electric shavers or heating pads, made by any of the giant laboratories or corporations, with the possible exception of the household garbage grinder. . . . The record of the giants is one of moving in, buying out and absorbing the smaller creators" (p. 117).

But it is the social and political significance of the giant corporations that most disturbs Mr. Quinn. He believes that they foster managerial ineptness, inhibit initiative, suppress talent, and frustrate ambition. They keep big men little and make little men big. And finally he believes that the failure of competitive free enterprise is paving the way for "the all-powerful socialistic state, a compromise of some kind with communism, or . . . dominating Big Business."

Some economists will find Mr. Quinn's book no more acceptable as an analysis of the causes and consequences of big business than I have found Mr. Lilienthal's. And Mr. Quinn's penchant as a businessman turned philosopher to philosophize about some of the most intricate economic phenomena that confront us, e.g., the causes and consequences of business fluctuations, may particularly trouble them. While recognizing the limitations of even a successful,

thoughtful, and well-read businessman in generalizing on topics about which in an age of specialization not even some economists would care to speak, I find his book an engagingly frank and a profoundly discerning discussion of the significance of big business by an insider who quite generally knows what he is talking about.

To anybody reading either the Lilienthal or the Quinn book, I commend the other.

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Economics in the Public Service: Administrative Aspects of the Employment Act.

By EDWIN G. NOURSE. (New York: Harcourt, Brace and Co. 1953. Pp. xi, 511. \$6.00.)

Mr. Nourse provides his readers with an historical setting for the Employment Act of 1946, a detailed account of the operations of the Council of Economic Advisers and the associated congressional Joint Committee on the Economic Report, and reflections on the meaning and significance of the Act. The title of the book points to the main theme, and the subtitle indicates the data that are utilized to demonstrate the theme. His conclusion after the elaborate survey is to be found in the following sentences: "I do take an exalted view of what is potential in that statute. I believe that, with its declaration for private enterprise and governmental responsibility, with its call for a major state paper of integrated economic policy, with its staff of professional economists in the Executive office and its newly devised pondering committee (with trained staff) in Congress, it may translate a growing economic sophistication of our country into practical means of checking runaway boom, supporting incipient depression, and stabilizing high-level use of our resources to a degree comparable to our achievements in the field of technology."

The first hundred pages is devoted to sketching the background of policy developments in the economic field which enable Mr. Nourse to depict the Employment Act as the "capstone of such an arch of earlier and partial building stones." The novelty in the present legislation is that it is "an attempt to tie together and complete an arch of policy-making agencies or organizations, deriving its strength from all other members of the supporting structure."

After thus surveying the "philosophical background of national economic policy in the United States," the author describes the second part of his analysis in the following terms: "Perhaps I am carrying inductive empiricism too far, but it seemed to me more realistic to let the narrative of actual events unfold with no more of an 'apperceptive mass' in the mind of the reader than there was in the mind of the writer when he entered this field of action. . . ." This part, in accord with the stated thesis, gives a detailed and circumstantial account of the developments in the Council and its relations with the other governmental agencies. Mr. Nourse has done his best to give an objective story, and students of public administration and public policy have gained a document about the operations of a governmental agency that is of rare and

substantial quality. There are moments, however, when the reader wishes that Mr. Nourse had been less restrained in his comments on his colleagues and fellow administrators. Enough is said to indicate that in operations under the Act a variety of views as to its philosophy came into being, and it is not too extravagant to suggest that the "objective" story must be a genteel version of a more complicated and intense struggle.

The final section provides the author's reflections on the experience under the Act. This summary is more often than not both penetrating and thoughtful. It is made clear that the Council, if the necessary implication is drawn, must have a synthesizing function in the executive branch in the various areas of economic policy. The application of that principle would compel a revision of many of the current operating habits of that branch.

Two requirements of that implication merit notice here. One delineates the administrative role that the Council would have to play, and the other describes the role as a formulator of economic policies which would be consistent in the multitude of agencies now working on economic matters. In Mr. Nourse's words: "Thus the work of a council of advisers on the problems of economic stabilization in any realistic sense would have to cover many questions of institutional structure and executive and mass behavior. . . ." These mild words signify nothing less than a revolution in administrative behavior in Washington.

Such sweeping changes would not be limited to the executive branch. If there is to be a unified economic policy, the Joint Committee on the Economic Report would have to move into a controlling position in Congress. The various subject-matter committees of that body, with their current perquisites and powers, would have to acknowledge the coordinating policy role of the Joint Committee. That kind of an integrating influence is about as far removed from the current power structure of Congress as it is possible to imagine. The present independence of committees in Congress has existed for a long time, and all efforts, even the mild 1946 legislation on congressional organization, to alter the pattern have been frustrated. This is not to say that such a change cannot be brought about, but it does suggest that the situation required for the successful functioning of the Employment Act does not now exist.

One would be hard put to ascribe any particular accomplishment to the Council in these early years, yet there has been a large body of literature relating to its activities. This volume supplements that literature in many useful ways.

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Community Power Structure: A Study of Decision Makers. BY FLOYD HUNTER. (Chapel Hill: The University of North Carolina Press. 1953. Pp. xiv, 297. \$5.00.)

Several years of observation in the field of social work convinced Floyd Hunter that vital decisions affecting community life appear suddenly without any

prior consultation with the majority of the community. His conviction that most power is exercised by a few is amply documented in this volume. Although his use of the term "power" is not confined to influence on governmental policy, and while he talks a lot about "community-planning" and "social work professionals," the book is still valuable to political scientists as a study of power.

His method was to make an on-the-spot study of a real community in the tradition of *Middletown*, *Democracy in Jonesville*, and Warner's *Yankee City* series. He employs the same techniques of extensive interviewing and the use of pseudonyms to protect the anonymity of the interviewees. The community chosen is a Southern city of nearly a half-million inhabitants. A tentative list of leaders was whittled down by asking those on the list such questions as "If a project were before the community that required decision by a group of leaders—leaders that nearly everyone would accept—which ten on this list would you choose?" By this procedure some twenty-seven persons were selected for interview and study. Among them there were large numbers of mutual choices, much close acquaintance, and overlapping business directorships.

No one man or family dominates the city as might be true of some small mill or mining town. However, basic decisions are made by a handful of men and then executed by a few hundred. There is no single power pyramid; rather Hunter finds several pyramids, each clustered around some business, whose members consult on policy. Once substantial agreement is reached by these decision makers, a project is definitely launched or killed. The test for admission to this circle of decision makers is a man's position in the business community. Hunter notes that as organized labor has grown in power it has secured more recognition, but none of its representatives has crashed the circle of decision makers. Basic decisions for the whole community are still made by the top men in the business community.

The policy makers reach a decision first; then the word is passed down to be implemented or talked about by lesser professional personnel, preachers, teachers, public relations men. The place of decision is rarely in the formal committee. The top men in the community have little time for committee meetings; they send a lesser man to "front" for them. The top leaders confer by telephone or perhaps meet at a private home to make the basic decisions. In their eyes, they are not behaving in an undemocratic fashion; they consult "everyone who counts," and it is possible for the membership of this group to change.

An excellent chapter describes the power structure in the Negro subcommunity. Here, more power is held by persons other than business leaders. Since Negro leaders have no contact above the third tier of white leaders, their viewpoints can never be presented at the level where the real decisions are made. Political power is examined in a separate chapter which explores the relations between the decision makers and elective officials at all governmental levels. Local officials are purely the creatures of the policy makers. The control of state officials is less absolute; only one leader is able to have the governor come

to him rather than the reverse. The influence on the national level is limited to getting a prompt and respectful hearing before congressional committees.

The idea of such a study is not new to political scientists. Harold D. Lasswell has for twenty years been urging such an approach under the caption "elite analysis," but little heed has been taken of his advice. While a case study like this may not justify any generalizations about political behavior, it sets forth the power structure in one community with beautiful clarity, thereby strengthening or invalidating the existing theories on the subject and suggesting new hypotheses. For instance, our guesses as to the reasons for business's love for having power kept in the lower levels of government are brilliantly confirmed. The power of the business leaders is most absolute at the levels of government that are "closest to the people."

More studies of this kind would be a good thing for the profession.

DONALD S. STRONG.

University of Alabama.

BOOK NOTES AND BIBLIOGRAPHY

AMERICAN GOVERNMENT AND POLITICS

The Legislative Struggle: A Study in Social Combat. BY BERTRAM M. GROSS. (New York: McGraw-Hill Co. 1953. Pp. xviii, 472. \$6.50.)

Bertram M. Gross, in writing this volume, has drawn upon a rich background as staff adviser to various Senate committees and executive secretary to the President's Council of Economic Advisers. For many years he worked intensively on all sorts of legislative matters, at all stages of the slow-moving legislative process—from developing the ideas for legislation all the way to intimate involvement with problems of legislative strategy and tactics. He has had the satisfaction of seeing important bills in which he was thus involved approved by Congress. Stephen Bailey in his brilliant *Congress Makes a Law* shows what a decisive role a committee staff adviser (such as Bertram Gross) can play in the enactment of a law.

Throughout the volume the author indicates clearly his heavy reliance upon *The Process of Government* by Arthur F. Bentley who viewed the political process, of which lawmaking is a specialized part, as a group struggle for power. The underlying theme of *The Legislative Struggle* is a social combat in which the primary movers or "contestants" are three: private organizations, political parties, and government agencies. "The process of government is one of struggle as well as of cooperation."

In Part I of the volume, the author devotes two chapters each to the three actors in the legislative drama. The second chapter of each pair deals with proposals for reform which extend considerably beyond the legislative process. However, it is in Part II, "Combat on the Legislative Terrain," that the author makes a distinctive contribution to the literature of the legislative process. Congress in action is not analyzed as a problem involving the narrow description of rules, procedures, and organizational structures, but rather "for finding out how persons involved in the legislative process behave, claim to behave, or are expected to behave." Every phase of legislative action, enriched by illustrative data, receives attention, not as narrow and isolated steps but as tactical movements in the legislative struggle. This includes discussion of the initiation and sponsor-

ship of a bill, its drafting, and campaigns to achieve enactment, and encompasses the formal organization of Congress and the presidential office, as well as the more informal but decisive outside pressures. The intimate and realistic explanations of action in the standing and conference committees and on the floor are extremely valuable. The author likewise gives a concise, keen, and critical presentation of significant avenues of procedural reform. With very broad sweeps of the brush, he concludes his study with a discussion of the prospects for change in the legislative process in the future, and of the role of social scientists in social change.—BELLE ZELLER, *Brooklyn College*.

Income Stabilization for a Developing Democracy: A Study of the Politics and Economics of High Employment without Inflation. EDITED BY MAX MILLIKAN. (New Haven: Yale University Press. 1953. Pp. xxi, 730. \$5.00.)

In this stimulating and highly useful symposium, some fifteen economists, political scientists, and law professors, including seven from Yale University, explore the economic, political, and administrative problems in the promotion and maintenance of economic stabilization within the framework of a democratic society. The essays are designed to relate the policy of economic stabilization to other significant areas of economic policy, such as fiscal policy, taxation, monetary policy, public expenditure policy, public budgeting, and governmental influencing of private investment; and to examine "the limitations and conditions imposed on economic policy in any actual moment of history by the political, institutional, and social framework within which it must operate and by the developing trends and tendencies of the times." These two objectives establish the basic themes that run through the individual essays and give them a breadth and degree of comprehensiveness rarely found in discussions of economic policy. The authors are by and large agreed on two propositions: first, that the principal purpose of a stabilization program is to maintain the freedoms of the individual that would be lost if extreme fluctuations in the economy were not stabilized; and second, that the real ad-

vantages of a predominantly private market mechanism over alternative economic systems "depend on the degree to which the private enterprise system is free of elements of monopoly."

There is a strong temptation to suggest that political scientists should be most interested in the notable contributions made by their colleagues to this study. For example, Francis Coker presents an extremely useful review of the issue of governmental intervention in economic affairs in the light of American political tradition, while Victor Jones discusses ably and provocatively the political framework of stabilization policy and endorses responsible party government as the necessary condition of an effective policy of economic stabilization. Harold Lasswell examines the nature of the communications process and the uses of the tools of communication for implementing stabilization policies, and Thomas Emerson discusses the administrative problems of coordinating and directing a stabilization program and integrating its operations with other governmental and nongovernmental activities. While these and other essays can be read separately with profit, the unique value of this book lies in the comprehensive treatment of the noneconomic as well as the economic issues and problems in the field of stabilization policy. In the light of the current academic preference for dealing with the behavioral and nonpolicy aspects of government and other types of social organization, it is refreshing to read a volume devoted to an enlightening analysis of one of our most significant problems of public policy.—MARVER BERNSTEIN, *Princeton University*.

The Tidelands Oil Controversy: A Legal and Historical Analysis. By ERNEST R. BARTLEY. (Austin: The University of Texas Press. 1953. Pp. viii, 312. \$5.00.)

Considering the constant friction which has marked the relationship of the states and the national government since the Constitution was adopted, it is rather remarkable that no serious question as to the ownership of the marginal sea and the lands under it arose until the past decade or so. It was, of course, the discovery of valuable oil deposits in that area that brought about the clash, which has developed into one of the bitterest political issues of recent years. It is this controversy which Professor Bartley has traced from its inception to its present—but perhaps not final—phase.

The most impressive aspect of his work is his demonstration that until quite recently the title to submerged lands out to the "historical boundaries" was assumed to be in the states. Citing international law, federal and state cases, and federal legislative and administrative action, the author builds up a strong case with careful documentation. Even so redoubtable a fighter for the public interest as Harold Ickes is on record as having made such an assumption in the early days of the New Deal, although he later changed his mind.

After setting the stage, Professor Bartley proceeds to analyze the three Supreme Court cases concerning respectively the claims of California, Texas, and Louisiana, in which the traditional assumption was overthrown, and the national government was said to have "paramount rights" in the area, although the Court refused to go so far as to say that it had actual title. It is in this field that it seems to me the author is open to criticism. He seems unnecessarily to impugn the motives of the Truman Administration and the judgment and impartiality of the Supreme Court.

After all, the Supreme Court is concerned with more than sheer legalism; it is, for better or worse, involved with policy as well. Despite the impressive legal basis of the states' claims, the Court may honestly have been impressed with the government's claim based on international sovereignty—although Professor Bartley's reply to that is that state title has always been held subordinate to the authority of the national government within its constitutional powers. And strongly as the author argues for the states' contention that their control extends to their historical boundaries, he is just as firmly opposed to any claim beyond that, and he ridicules the efforts of Texas and Louisiana to fix their borders at twenty-seven miles from low tide.

Meanwhile a solution of sorts has been reached by the passage of legislation granting the states at least part of their claims. But in view of the Arkansas suit to test the validity of the legislation, it remains to be seen whether the end of the controversy has yet been reached.—J. H. LEEK, *University of Oklahoma*.

The Supreme Court: Vehicle of Revealed Truth or Power Group, 1930-1937. By ALPHEUS THOMAS MASON. (Boston: Boston University Press. 1953. Pp. 58. \$2.50.)

Three lectures, the Gasper G. Bacon Lectures for 1952-53, on the controversies over

Supreme Court personnel from the nomination of Hughes as Chief Justice to the "court packing" controversy of 1937. The distinctive feature of the lectures is the extensive use of the letters of Justice Harlan F. Stone.

The States and the Nation. BY LEONARD D. WHITE. (Baton Rouge: Louisiana State University Press. 1953. Pp. x, 103. \$2.75.)

This little volume of three essays, first presented by their distinguished author as the Edward Douglass White lectures at Louisiana State University, treats the ever recurring subject of federal-state relations under the following titles: "The March of Power to Washington"; "Strength and Limitations of the States"; and "The Next Quarter Century." In the concluding essay, Professor White proposes "four directions in which it may be possible to advance in order to achieve a new federal-state balance." These are: the return of some functions to the states; modification of the conditions attached to some federal grants-in-aid; wider use of the interstate compact; and more energetic use of state powers in emerging policy fields.

American State Government. BY W. BROOKE GRAVES. (Boston: D. C. Heath and Co. 4th edition. 1953. Pp. xi, 946. \$6.25.)

Completely revised and reset in a new format, this edition includes three new chapters: "Legislative Service Agencies," "The Military Establishment and Civilian Defense," and "County and Municipal Government." It omits two chapters carried in the previous edition: "The Legislature in Action" and "The States in the War and the Postwar." Several chapters have been extensively rewritten. Reference lists have been shortened and bibliographical notes added, the *Model State Constitution* is no longer carried as an appendix, and the new edition is somewhat shorter than earlier ones.

Readings in Municipal Government and Administration. BY CHARLES M. KNEIER AND GUY FOX. (New York: Rinehart & Co. 1953. Pp. xix, 486. \$3.90.)

The first collection of readings concerned solely with urban government to appear in a number of years. The selections run the gamut of modern municipal problems and consist of both documents and articles. The editors provide a brief explanatory introduction to each selection.

Public Administration. BY MARSHALL EDWARD DIMOCK AND GLADYS OGDEN DIMOCK. (New York and Toronto: Rinehart & Co. 1953. Pp. xix, 531. \$5.00.)

An introductory textbook which stresses the study of public administration in the political and social setting. The authors have attempted a synthesis of a wide range of materials relevant to public administration. Case illustrations are frequently used. Although the effort to integrate diverse though relevant material results in some excellent and some weak sections, the total product is stimulating and provocative.

Public Administration. BY JOHN M. PFIFFNER AND R. VANCE PRESTHUS. (New York: Ronald Press. 3rd edition. 1953. Pp. viii, 626. \$6.00.)

An extensive revision of a well-established textbook. Comparison with former editions shows not only the usual incorporation of recent knowledge but also a change in approach. There is an emphasis upon the total environment of public administration, more extensive use of relevant contributions from other disciplines, and an effort to achieve a balanced consideration of the formal and informal elements of organization and management.

Bibliography on Public Administration: Annotated. BY CATHERYN SECKLER-HUDSON. (Washington: The American University Press. 1953. Pp. vii, 131.)

This fourth edition contains over 1100 entries, with a brief annotation on each. Excluded are references to foreign language literature, individual articles in periodicals, and most of the related works on business administration. Emphasis is placed on national and international administration. Within the limits set, a useful volume of carefully selected references is again brought up to date.

Limited-Term and Excepted Appointments in the Civil Service: A Study of the Legal Provisions by Which They Are Regulated in Fifty-nine Jurisdictions in the United States. BY WILLIAM C. BEYER. (Philadelphia: William C. Beyer. 1953. Pp. iv, 186. \$3.00.)

Primarily a reference study of legal provisions in fifty-nine jurisdictions in the United States (the federal government, 20 states, 6 counties, 30 cities, and 2 special districts), with data drawn from the civil service laws and rules in effect at some time during the

period 1950-1952. The types of "non-regular," appointments considered are provisional, temporary, seasonal, emergency, and excepted.

Jurisprudence: Men and Ideas of the Law. BY EDWIN W. PATTERSON. (Brooklyn: The Foundation Press. 1953. Pp. xiii, 649. \$7.50.)

A textbook, comprehensive in scope and detailed in analysis, purposely written for the intelligent novice.

The Federal Courts and the Federal System. BY HENRY M. HART, JR. AND HERBERT WECHSLER. (Brooklyn: The Foundation Press. 1953. Pp. lvii, 1445. \$11.00.)

The Judicial Code and Rules of Procedure in the Federal Courts with Excerpts from the Criminal Code. COMPILED BY HENRY M. HART, JR. AND HERBERT WECHSLER. (Brooklyn: The Foundation Press. 1949. Pp. v, 454.)

A casebook for law school use with ample notes and historical material, and an accompanying selection of statutes and regulations.

American Life: Dream and Reality. BY W. LLOYD WARNER. (Chicago: The University of Chicago Press. 1953. Pp. xv, 268. \$3.75.)

The author of the Yankee City series summarizes for the general reader his twenty

years of research on community studies. With emphasis upon the social-status system, aspects of the modern American scene such as ethnic minorities, mass media, and the family are analyzed from what is called the point of view of social anthropology.

Aid, Trade and the Tariff: Including a Handbook of Major Dutiable United States Imports. BY HOWARD S. PIQUET. (New York: Thomas Y. Crowell Co. 1953. Pp. vii, 358. \$3.75.)

A tariff by tariff discussion of the probable effects on imports of a reduction in the rate.

The Political Economy of Monopoly: Business, Labor and Government Policies. BY FRITZ MACHLUP. (Baltimore: The Johns Hopkins Press. 1952. Pp. xvi, 544. \$5.50.)

A nontheoretical description of the actual practices of big business and of governmental measures which have been taken to control and regulate those practices.

The Statesmanship of the Civil War. BY ALLAN NEVINS. (New York: Macmillan Co. 1953. Pp. vii, 82. \$2.25.)

An illuminating and interesting evaluation of Southern and Northern leadership, particularly that of Jefferson Davis and Lincoln.

SELECTED ARTICLES AND DOCUMENTS ON AMERICAN GOVERNMENT AND POLITICS

FRANKLIN L. BURDETTE

University of Maryland

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FOREIGN AND COMPARATIVE GOVERNMENT

Law and Social Change in Contemporary Britain. BY W. FRIEDMANN. (London: Stevens & Sons, Ltd. 1951. Pp. xxiv, 322. 37s. 6d.)

The major purpose of this volume is to examine the impact upon British law and legal institutions of the rapidly changing social pattern of modern England, and particularly of the phenomena commonly called "economic planning" and "the Welfare State." It is primarily a study of English law—and as such draws most of its illustrative material from English cases and statutes—but it proceeds in the context of more general theories of jurisprudence and makes frequent reference to broader trends in Anglo-American law as revealed in the Commonwealth countries and in the United States. Comparisons with continental systems and practices are also made.

Over one-third of the book is devoted to an examination of the changing concepts of the law of property, contract, tort, and other basic common law principles, in an effort to reassess the function of these concepts in contemporary England. The law of property, says the author, has already changed sufficiently to sustain social democracy in Britain, and can no longer be called a citadel of a conservative and capitalist social order. A major problem is the restoration to the individual of some of the freedom of movement formerly derived from ownership, without restoring power to private capital. In the case of the law of contract, he shows that (despite Sir Henry

Maine's famous dictum about progress from status to contract) the law of contract today tends more and more to be institutionalized and collective, rather than individual—that it is, in fact, coming to be more and more like public law. Similarly, in the realm of tort, the law has moved steadily closer to a social insurance principle in which the standards of care imposed on manufacturers, occupiers of land, and keepers of machinery, have been tightened and the range of acceptable defenses progressively narrowed. These analyses are interesting and challenging, especially for one who has had some legal training; but the major interest for political scientists probably lies in the remainder of the volume, concerned chiefly with (1) the growth of the acceptance of public law in Britain, (2) the evolution of administrative law as a part of this, (3) the increasing significance of statute law and statutory interpretation, and (4) the possibility of reconciling the "rule of law," properly understood, with the emergence of planning and the Welfare State.

Despite "Dicey's famous heresy," as the author calls it, it is no longer possible to deny that public law has an important and growing place in the English legal system. The flood of new social services, administrative agencies, and public corporations has created public law problems inevitably and increasingly, even though often in the guise of ordinary common law actions. Dicey's legal theory for the completely liberal state regarded the rules of private law as paramount and binding upon

rulers and ruled alike, and hence could deny the existence of any "public" law over and beyond this. Professor Friedmann argues that the modern state must be concerned with the balance between social welfare and individual freedom; hence there must be a public law limiting administrative discretion so as to maintain a reasonable balance between the needs of administration and the legal security of the individual. In general, public law problems are seldom appreciated or recognized in their full importance in the common law setting in which they generally appear. And yet both courts and legislature in England are gradually abandoning the former presumption that doubts must be resolved in favor of the special protection of private rights. The predominant judicial attitude (shown in many cases reviewed in the volume) is coming to be one of balancing the interests concerned without any predisposition either way.

The evolving administrative law in Britain suffers from the basic weakness that it is a system of public law which still has to use the categories and remedies of a private law system. The author argues for a more general use of declaratory judgments and injunctions sought by the Attorney-General as guardian of the public interest, to replace penal sanctions and common law actions for damages. He also argues for the abandonment of the fiction of the "shield of the Crown"—already in process—and for establishment of the principle of legal liability of the state where there are state activities of a commercial, industrial, or managerial nature. Relevant to this is a thorough and stimulating analysis of the role of the public corporation and its legal status.

For an American, it is interesting to see that much effort is still required in England to demonstrate that statute law is important and a proper concern of the lawyer. The author attributes this to the lingering distinction between "lawyer's law" and "political law," the latter being somewhat remote and rather suspect in the eyes of the average lawyer. Whatever may have been the situation in the past, the fact now is that the overwhelming proportion of cases decided by the English courts is concerned with statute law and its interpretation. The author examines the various approaches to statutory interpretation, which he labels the "pseudo-logical or textbook," the "social policy," and the "free intuition" approaches. His analysis here adds little to the literature, and his conclusion—that none of

these alone is sufficient—is not a particularly striking one. His most helpful contribution in this connection lies in his suggestion that "there are statutes and statutes," and that rules of interpretation might well be different for various defined categories of statutes.

The author concludes with a thoughtful chapter on the possibility of reconciling planning with the essential principles of law in a free democratic society. He discusses the various meanings of the "rule of law," attacking Dicey's misunderstanding of the administrative process and Hayek's revival of "Diceyism" in an exaggerated form. He shows that this concept of the rule of law really means rule by judges and the negation of administrative discretion. His conclusion is that the rule of law, reduced to its essentials, is at the heart of the survival of free democracy in the welfare state, and that "the incompatibility of planning with the rule of law is a myth sustainable only by prejudice or ignorance."—VINCENT M. BARNETT, JR., *Williams College*.

History of the German General Staff: 1657-1945. BY WALTER GOERLITZ. TRANSLATED BY BRIAN BATTERSHAW. (New York: Frederick A. Praeger. 1953. Pp. xviii, 508. \$7.50.)

This is a translation of *Der Deutsche Generalstab*, in which a contemporary German historian presents a detailed and factual narrative of the development and growth of the German General Staff from 1657 to 1945. He thus deals with an institution whose influence in Germany has not been paralleled by similar groups in other countries and an understanding of which is essential to a comprehension of the nature of the German problem. Dr. Goerlitz seeks to show that in both World War I and II, the politicians demanded of the German military leaders the undertaking of campaigns which the professional military men realized were beyond the social and political strength of the Reich. Their peculiar sense of "devotion to duty" induced them to undertake tasks which they knew were futile from the beginning. Powerful as the Officer Corps was and jealous of its independent position, it was eventually crushed by Hitler and became a dependent unit within the National Socialist system. The remnants of the Officer Corps who survived became in due time, if not willing, at least loyal instruments for the furtherance of the grandiose schemes of the Third Reich. The author defends the General Staff against the accusation that it deliberately caused

World War II, maintaining in this respect that the Nuremberg tribunal was never able to find evidence sufficient to prove a case against the generals.

With the proposed integration of Western Germany into a European defense system, it is essential that we understand the psychological motivations of the remnants of the officer class on whom the new German army will of necessity have to be built. Dr. Goerlitz's book gives the reader such insight, and although the conclusions to be drawn from the data by others may differ from those of the author, the factual knowledge presented is of undoubted value to those concerned with the future of a revived Germany.—H. MALCOLM MACDONALD, *University of Texas*.

Printer to the House: The Story of Hansard. BY J. C. TREWIN AND E. M. KING. (London: Methuen & Co. 1952. Pp. xv, 272. 22/6.)

Hansard's Catalogue and Breviate of Parliamentary Papers: 1696-1834. Reprinted in facsimile. WITH AN INTRODUCTION BY P. FORD AND G. FORD. (Oxford: Basil Blackwell. 1953. Distributed in U. S. by Macmillan Co. Pp. xv, viii, 220. \$6.50.)

Select List of British Parliamentary Papers: 1833-1899. BY P. FORD AND G. FORD. (Oxford: Basil Blackwell. 1953. Distributed in U.S. by Macmillan Co. Pp. xxii, 165. \$4.50.)

Luke Hansard, as printer to the House of Commons in the latter part of the 18th century and in the first part of the 19th, did much to establish the tradition of promptly and effectively printed parliamentary papers. His further ability to keep an intelligent working control over the stocks of papers at the service of the members of Parliament as well as to prepare some important indexes would seem to have aided materially in the conduct of parliamentary business during a long and rather critical period. The term *Hansard* as applied to parliamentary debates arose from the taking over by his son, Thomas Curson Hansard, of the publication of *Cobbett's Parliamentary Debates*. The story of the Hansards, told on the 200th anniversary of Luke Hansard's birth, may do much to show how closely the matter of official printing has at times been intertwined with and has affected the conduct of parliamentary business.

Hansard's Catalogue and Breviate, planned by Luke Hansard, completed by his sons, Luke

Graves and James, and printed for the House of Commons in 1836, demonstrates even today a complete mastery of these documents such as was possible only to those so intimately connected with the printing and use of the papers. The Hansards were not merely printers to the House but served as a source of information on the papers. In making this work available once more in reprint form, the editors have added a list of House of Lords papers to which references were not made in the original work.

For "the papers of inquiries into the whole field of constitutional, economic and legal policy," 1834-1899, P. and G. Ford have provided a classified index. At the end, there is a separate class for the Irish reports. An appendix is devoted to a "select list of annual reports." Although in the main the references are given only to the House of Commons sessional papers, references are made to the House of Lords papers when these were not presented to the Commons. The P. S. King and Son's *Catalogue of Parliamentary Papers* does not give paper and volume numbers. The sessional and general indexes are far from uniform in their treatment of the many thousands of papers bound in the several thousand volumes for the period. For the first time, therefore, we have one key to most of the important British parliamentary papers during the period 1833-1899.

The *Select List of British Parliamentary Papers, 1833-1899*, together with *Hansard's Catalogue and Breviate of Parliamentary Papers: 1696-1834*, and *A Breviate of Parliamentary Papers, 1917-1939* (1951), provide a key to the important British parliamentary papers, 1696-1939, with the exception of the period 1900-1916, which P. and G. Ford propose to complete next.—JAMES B. CHILDS, *Library of Congress*.

English Historical Documents: Volume VIII, 1660-1714. EDITED BY ANDREW BROWNING. (New York: Oxford University Press. 1953. Pp. xxxii, 966. \$17.50.)

This is the second published volume of *English Historical Documents*. It is fully up to the standard set by Volume II and contains a rounded picture of all aspects of life in Great Britain during the late Stuart period. It should serve as an indispensable tool for the student of the period.

The Concept of Empire: Burke to Attlee, 1774-1947. EDITED BY GEORGE BENNETT. (Lon-

don: Adam and Charles Black. 1953. Distributed by The British Book Centre, New York. Pp. xix, 434. \$4.00.)

The sixth volume of this series on the *British Political Tradition* contains useful and hard-to-find commentaries on colonial policy taken from monographs, articles, speeches, and documents.

Politics in the Age of Peel: A Study in the Technique of Parliamentary Representation, 1830-1850. BY NORMAN GASH. (New York: Longmans, Green and Co. 1953. Pp. xxi, 496. \$8.75.)

This is not a history but rather an examination of the political life and political practices of the two decades following the Great Reform Bill. Peel is merely a central figure; the primary emphasis is on the electoral and representative system. Valuable commentary on the constituencies, corruption, patronage, and the techniques of political control make this a useful volume for students both of British government and of electoral problems in general.

The Navy as an Instrument of Policy: 1558-1727. BY ADMIRAL SIR HERBERT RICHMOND. EDITED BY E. A. HUGHES. (New York: Cambridge University Press. 1953. Pp. 404. \$12.00.)

Richmond was both an admiral and a Cambridge professor. His history is not of the Royal Navy itself but of the political and strategic role of the Navy in the period covered.

The Temper of Western Europe. BY CRANE BRINTON. (Cambridge: Harvard University Press. 1953. Pp. ix, 118. \$2.50.)

An urbane historian takes a long view, says that the prophets of doom exaggerate, finds Western Europe materially richer than and not too lamentably changed from thirty years ago, and considers its current temper far more youthful than senile. The volume is based on the James W. Richard Lectures in History, given in April, 1953 at the University of Virginia.

The Government of the Soviet Union. BY S. L. KATARE. (Jabalpur: The Indian Book House. 1952. Pp. xii, 235. \$2.50.)

A description of the Soviet government on federal, state, and local levels by an Indian professor of history and political science who claims to be opposed to both communism and capitalism. Based largely on secondary mate-

rials, it is designed as a textbook for Indian students.

The Impact of Russian Culture on Soviet Communism. BY DINKO TOMASIC. (Glencoe, Illinois: The Free Press. 1953. Pp. 285. \$4.50.)

In an endeavor to find the "social agents which have affected the formation of power and the growth of personality in Russian society and which might be the causes of its political explosiveness," the author traces the development of Russian society from its origins among the Pripyet marshes and the early Mongol-Tartar invasions to the USSR. He discusses such items as the contrast and clash of the Mongolian "power-oriented and predatory warriors of the steppes" and the "group-oriented and anarchistic culture of the Old-Slavonic soil cultivators," the impact of the Byzantine politico-religious system, the mutual relationships within the Russian family, and various social groups and revolutionary movements.

Germany in Power and Eclipse: The Background of German Development. BY JAMES K. POLLOCK AND HOMER THOMAS WITH THE ASSISTANCE AND COLLABORATION OF WILLETT F. RAMSDELL, WM. CLARK TROW, AND MANFRED C. VERNON. (New York: D. Van Nostrand Company. 1952. Pp. viii, 661. \$10.00.)

During World War II a team of social scientists at the University of Michigan, headed by Professor Pollock, made a series of comprehensive studies of Germany, which were made available to the U.S. War and State departments. The volume noted here—in essence a handbook—is a summary of the results of the most important of these investigations. It deals with such matters as the land, the people, government and administration, political movements and parties. The longest part is the one on the regional composition of Germany.

State and Local Government in West Germany, 1945-1953, with Special Reference to the U.S. Zone and Bremen. BY J. F. J. GILLEN. (Berlin: Office of the U.S. High Commissioner for Germany. 1953. Pp. ix, 131.)

This useful monograph deals fully with state and local government in Bavaria, Hesse, Württemberg-Baden, and Bremen from 1945 up to the end of 1952. A final chapter briefly

surveys state and local governments in the British and French zones.

Anais de Câmara dos deputados. Organizados pela Diretoria de publicidade. 1946, Vols. I-VIII; 1951, Vols. I-VII; 1952 (Convocação), Vols. I-VII. (Rio de Janeiro. 1951-53.)

Although the Chamber of Deputies of the Brazilian Congress first met September 23 after the approval of the 1946 Constitution a few days earlier, it was only beginning in 1951 that some of the volumes of the permanent edition of the debates in octavo started to appear under the title of *Anais*. Normally the Congress meets each year on March 15th and sits until December 15th. The eight volumes of 1946 extend through the beginning of the extraordinary session on December 16. The seven volumes of the ordinary session of 1951 begin in March and extend through May 21. The seven volumes of the called session of 1952 begin on January 16 and extend to the end of the session on March 9. Each volume contains at the beginning a day by day table of contents of the sittings and an index by members. The volumes of the 1946 and 1951 sessions were printed at the Departamento de Imprensa Nacional, and those of 1952 at the Serviço gráfico do Instituto brasileiro de geographia e estatística. The above mentioned volumes are all that have been printed to date. The daily unindexed congressional record of the debates in both houses of the Brazilian Congress appears as a supplement to the *Diário oficial* under the title *Diário do Congresso Nacional*.—J.B.C.

Manual do deputado: Regimento interno da Câmara dos deputados e Constituição da República. (Rio de Janeiro: Depto. de Imprensa Nacional. 1953. Pp. 188.)

The new rules of the Brazilian Chamber of Deputies, as approved on December 31, 1952, are accompanied by a detailed index. The volume also includes the *Regimento comum*, rules for the joint sessions of the Senate and Chamber of Deputies approved April 20, 1951, and the 1946 Constitution of the Republic.—J.B.C.

Asamblea nacional constituyente de 1949. Tomo I: *Antecedentes, Proyecto, Reglamento, Actas.* (San Jose, Costa Rica: Imprenta Nacional. 1953. Pp. 675.)

This work represents the first time in the history of Costa Rica that there has been an

attempt at a full and systematic printed record of a constituent assembly. Ordinarily the only record available is that printed from time to time in the *Diario oficial*. The present volume includes the proceedings from the beginning on Jan. 15th to April 8, 1949.—J.B.C.

Almanak nasional. 1953. *Tahun ke—III.* (Djakarta, Gapura: N. V. 1952. Pp. 400. Rp. \$8.50.)

This annual general almanac of Indonesia published in the Indonesian language by the firm of Gapura seems to be the only work containing a full list of the ministries and other agencies of the Republic of Indonesia and also the membership of the parliament.—J.B.C.

India, a Reference Annual, 1953. BY MINISTRY OF INFORMATION AND BROADCASTING, GOVERNMENT OF INDIA. (Delhi: Publications Division, M.I.B. 1953. Pp. 423. Rs. 5.)

A considerable section is included on the returns of the first election held between October, 1951 and May, 1952 under the new constitution for both the central government and the states. There is a brief directory of the governments, both central and state. A ten-page summary of the new constitution is given. The judicial system, defense services, finance, power and irrigation, agriculture, scientific research, and other topics each have separate chapters that are helpful in presenting the present situation of the government of India and its problems.—J.B.C.

Democratic Bulwark in the Middle East: A Review and Analysis of Israel's Social, Economic, and Political Problems during the Period from 1948 to 1953. BY JOSEPH DUNNER. (Grinnell, Iowa: Grinnell College Press. 1953. Pp. v, 37. \$1.35.)

The Republic of Israel: Its History and Its Promise. BY JOSEPH DUNNER. (New York: McGraw-Hill Book Co. 1953. Pp. xvi, 269.)

The Republic is a reprinting of a 1950 volume and *The Democratic Bulwark* brings the Israel story down to 1953 with a consideration of internal population and constitutional changes, the continuing Arab problem, and Israel's foreign policy.

Civil Service in Early Sung China: 960-1067. BY E. A. KRACKE, JR. (Cambridge: Harvard University Press. 1953. Pp. xv, 262. \$6.50.)

This study in the Monograph Series of the Harvard-Yenching Institute describes civil service developments during an important period of Chinese history, with particular emphasis on "the policy of promotion through controlled sponsorship." "This technique," the author points out, "consisted in granting special promotions within the service on the recommendation of a superior officer, who thereafter was legally answerable for the quality and the acts of his protégé."

Reader in Bureaucracy. EDITED BY ROBERT K. MERTON, AILSA P. GRAY, BARBARA HOCKEY, AND HANAN C. SELVIN. (Glencoe, Ill.: The Free Press. 1953. Pp. 464. \$5.00.)

A useful collection of "various types of analysis of bureaucracy" under the following sectional titles: "Bureaucracy: Theoretical Conceptions"; "Bases for the Growth of Bureaucracy"; "Bureaucracy and Power Relations"; "The Structure of Bureaucracy"; "Recruitment and Advancement"; "The Bureaucrat"; "Social Pathologies of Bureaucracy"; and "Field Methods for the Study of Bureaucracy." A brief introductory statement preceding each section indicates the problems of chief concern in that section. In choosing materials for inclusion in the *Reader*, the editors have emphasized the sociological aspects of bureaucracy and have given greater attention to governmental than to economic, military, or religious bureaucracy.

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INTERNATIONAL LAW AND RELATIONS

Truth is Our Weapon. BY EDWARD W. BARRETT. (New York: Funk and Wagnalls. 1953. Pp. xviii, 355. \$4.00.)

Few programs of our government have sustained such demoralizing public attack as has our international propaganda program. The European field investigation of our library centers by Messrs. Schine and Cohn is still fresh in mind as is the public dissection of the Voice of America. This series of probes has

left the information program very much in need of some forthright championing. Such is the purpose of Mr. Barrett who was formerly, as Assistant Secretary of State, in charge of our cold war propaganda. The product is a readable discussion of the importance, techniques, and organization of our efforts toward selling America to the world. It is not a scholarly history or critique, nor is it intended as an addition to the technical literature on psychologi-

cal warfare or international propaganda. It, nonetheless, deserves a reading by specialists in foreign policy and congressional-administrative relations, as well as by students of mass communication.

The author shows commendable restraint in devoting only a minimum of attention to Senator McCarthy's charges. Most of the argument consists of a positive discussion of the necessities of an information program in the face of an enormous Soviet propaganda barrage. Barrett does not offer psychological weapons as a cure-all for all our ills. There is genuine awareness that we cannot simply transfer our expertise in selling chlorodent in Des Moines to peddling liberty in Southeast Asia. Fortunately, Barrett says, "ballyhoo experts gave way to area experts" some time ago. That "this is a war for the minds and hearts of men" has become a part of our everyday speech.

The author, who at the time was engaged in top level work in the Psychological Warfare Branch of the Eisenhower headquarters, draws upon his experiences to show the utilization of "Sykewar" in World War II. While he strives mightily to restrain his enthusiasm, he occasionally claims more than communication analysts have found conclusive evidence for. Thus, his account of the impressive handling of the Japanese surrender offer by O.W.I. is somewhat marred by the decisive way in which he evaluates the effect of that leaflet operation. "That cinched the surrender, which became official two days later" (p. 14). Much credit must, however, be given to those, such as the author himself, who played by ear during the trial and error days when much had to be done quickly. The experiences of that period are recounted and drawn upon for relevance to present cold war psychological strategy. And if Barrett's discussion of our strategy in supporting Admiral Darlan and our demand for unconditional surrender is meager, he does succeed in pointing up the psychological aspects of such decisions.

His discussion of the problems we must solve in our current war of words with the Kremlin is much more satisfactory. Especially valuable is the bill of particulars which goes far to refute the all too common view that we are losing the cold war. Far too many have succumbed to the myth of Russian invulnerability reminiscent of that built up about the Nazis. There is some consolation to be drawn from the case Barrett establishes. One example

cites the three-power disarmament proposal which President Truman offered the United Nations. The discussion of the propaganda strategy that went into that offer and how the requirements of a "Truth Campaign" influenced that strategy is worth the telling. The success of that psychological weapon was heightened by Vishinsky's blundering response that he had been unable to sleep for laughter. A good psychological warrior such as Mr. Barrett could have informed him that one does not laugh at disarmament proposals, at least not in public.

Despite this and other successes which are recounted, the author fails to come to grips with the less favorable elements in the current scoreboard of cold war psychological battles. There is no consideration of the gains of "neutralism" in Europe and, most alarmingly, in Britain. The discussion of the Malenkov "peace overtures" does not go quite far enough. It is all well and good to be alert to the semantics of saying "no" in good psychological warfare terms. Thus, we can see the need for Mr. Dulles' elaborate caution in saying "No" affirmatively so as not to appear undesirous of peaceful compromise and yet keep up our guard in the face of another Soviet propaganda ruse. But this hardly begins to represent a policy which must convince skeptical millions that America and not the Soviets represents the best hope for peace, for economic well-being, and for an end to colonialism and racial discrimination.

So far as the organization of a propaganda agency is concerned, the author regards its proper place as with the military in time of war (i.e., combat operations) and keyed in with the State Department in time of peace. In war or peace, he is a firm supporter of a propaganda coordinator on the President's staff. As he points out, the evaluation techniques which we possess are such as to make a sober appraisal of the effectiveness of our "set-up for persuasion" very difficult. Given the political differences which prevail over foreign policy, as well as the unsolved technical problems, it would not be surprising to discover that we have blundered as well as advanced our cause. Yet the record seems one of which the propaganda agencies can be proud. The author is not seeking to escape responsibility for errors committed during his tenure when he complains of his program being made into a political football. "Indeed, one of my chief regrets is that I, like my predecessors, was

forced to spend more effort on this struggle than on the contest with Soviet propagandists" (p. 80).

The publisher is to be congratulated for the inclusion, despite a lengthy text, of valuable appendices; one of them is a lengthy reply to detailed questions submitted to the Information Service by Senator McCarran, as chairman of the subcommittee on State Department appropriations. Also reprinted is the text of a "Typical Country Plan . . . a hypothetical plan to illustrate the approach used by the U. S. Information Services in tailoring the information program to a target country." Several photographs illustrate various items of psychological warfare.—HERBERT GARFINKEL, *Dartmouth College*.

Challenge to the Kremlin. BY HARRY HODGKINSON. (New York: Frederick A. Praeger. 1953. Pp. 190. \$2.75.)

This book underscores the primary importance of ideologies in the struggle between Tito and the Kremlin. Published some time before the death of Stalin, and brilliantly analyzing the late dictator's views in several crucial areas relating to the internal and foreign affairs of the Soviet Union, it is also suggestive with regard to current Soviet policies now that Stalin has passed from the scene.

The author hammers home the importance of the multiple repercussions of the Tito-Stalin rift within the Communist world. Titoism revealed to all that under Stalin the ideas of Marx as interpreted by Lenin were being radically altered to produce a monolithic state party domination at home, and a Russian imperialism (under the façade of liberating the proletarians of all lands) abroad. Regardless of the present or eventual effect of Tito's example upon the loyalty of other Communist countries to Moscow, the challenge to the Kremlin's domination of the Communist world, has, in one sense, been successful. Moscow, despite its ruthless pursuit of "Titoist wreckers" all over the world, particularly in eastern Europe, must operate under the glare of Tito's charges that Stalin strayed from the path of true Marxism-Leninism. And any diplomatic adjustments that are made between Russia and Yugoslavia, now that Stalin is dead, must appear to be concessions to the Yugoslavian dictator's position.

Hodgkinson indicates how Yugoslavia's relations with the West during the past five

years constitute a refutation of the still basic post-World War II Russian idea that the world is divided into two irreparably hostile camps. Tito, despite Moscow invectives, has demonstrated how a Communist state can carry on correct, if not the friendliest, relations with capitalistic United States, thus securing needed economic assistance not obtainable elsewhere while maintaining its presumed socialist character. This must be a severe lesson, indeed, to those Russian satellites whose overtly expressed hopes of participation in the original Marshall Plan were squelched by Moscow.

Another result of the Tito-Kremlin conflict has been the establishment in Yugoslavia of what the author terms "laissez-faire communism," or "a sort of socialism without the state." The author indicates that the charges of the Yugoslav leaders against the Soviet Communist Moloch state made it all the more necessary that they themselves seek to eliminate the evils of centralized political bureaucracy. It will seem to some that the author is too optimistic concerning the progress that Yugoslavia has made in this direction. "Laissez-faire communism" may be realized some day in that country. If it is, however, the world will have witnessed the spectacle of a Moscow-trained Yugoslavian Bolshevik who successfully defied the Kremlin partly because he applied the ruthlessness he learned against his former teachers, uniquely turning Marxism-Leninism upside down.—CARROLL HAWKINS, *Michigan State College*.

Who Speaks for Man? BY NORMAN COUSINS. (New York: Macmillan Company. 1953. Pp. x, 318. \$3.50.)

This book is based upon the conviction that the USA and the USSR are about to repeat the fatal cycle which led Athens and Sparta to destroy ancient Greek civilization. They did it because they had no way of preventing the final error of one war too many. This tragedy was preceded by the golden age of Pericles, in which he made male citizenship universal and used public money to build Athens into "the most beautiful city the world has ever known." Then came the war and his death, after which "every form of iniquity took root in the Hellenic world," according to Thucydides. The military took control in Athens and the wise precepts of Pericles were not only disregarded: they "hadn't even been remembered."

Cousins believes that men will always come to similar catastrophe unless there is a single government over the geographic unit in which they live and that the earth is now such a unit. The problem is not to unite the two super powers but to get a degree of world government which will keep them *apart*, not to make the world safe for either ideology, but to make it safe for diversity.

This can only be done, the author holds, by a strong initiative on the part of the United States to give the UN real governmental powers, sufficient to offer Russia, and all nations, reliable security against armed aggression. There would be a single world *sovereignty*, but state *jurisdiction* over everything except the war-making power.

No one can deny the necessity of such a development. The new atomic weapons clearly confront us with the imminent destruction of Western civilization, according to the rule that great powers must fear and fight, with whatever weapons they can lay hands upon. The only question left is whether to make a desperate effort to reduce the tensions between the Big Two before attempting to move toward world government.

Prime Minister Nehru, of India, who contributed a long recorded interview to the book, believes that this must come first. Since "today fear is almost all-pervasive," he holds that our primary task is to lessen tensions and reduce fear.

This has seemed to this writer to be the most urgent imperative ever since the cold war boiled up. The war must be prevented. Then everything else is possible. However, Cousins makes a strong case for putting a bold move for world government first, as the indispensable means of preventing the war. He has an impressive chapter showing that men all around the world, of all races and cultures, already hold common basic beliefs. More than any rabid nationalist suspects, man is already one. But "who speaks for man?"

The book contains significant reports of two official missions by the author to Germany and Japan. There are unforgettable accounts of the degradation forced upon men in the Nazi murder camps, and of the refusal of present Germans to admit that they had any conceivable responsibility for these horrors, or for Nazism itself. He found Germany becoming "the principal means in Europe for priming the pump of war between the West and Russia." But the Mayor of Hiroshima told

him that "we the people of Hiroshima are sick at heart to look out at the world and see that nations are already fighting the initial stages that can grow into a full war."

By all past precedents the war will come, after the atomic weapons have made the death of Western civilization certain. *Who Speaks for Man?* is one man's attempt to avert that supreme disaster.—D. F. FLEMING, *Vanderbilt University*.

The Ultimate Weapon. By OLEG ANISIMOV. (Chicago: Henry Regnery Co. 1953. Pp. xvii, 163. \$3.50.)

By the "ultimate weapon" the author (formerly of Latvia) means the "militant democratic internationalism which submerges petty national differences and false pride in behalf of the dignity and survival of the individual." He is greatly dissatisfied with the way the United States has been handling its psychological warfare, one of his main objections being that the U.S. expends too much energy to prove that life is better in America but does not say what it proposes to do to help the oppressed peoples. "No democratic revolutionary movement is possible behind the iron curtain without revolutionary forms of American political action." Hence the author recommends a new strategy which would boldly take advantage of discontent and of the "dormant moral strength" behind the Iron Curtain. Among other things he suggests the "creation of a permanent veto-free system" in the U.N., some sort of democratic-sponsored world organization which would be "a counterpart to the Cominform," creation of "revolutionary cadres among the Soviet escapees and the issuing of daily information, advice, and instructions to the anti-Communists behind the curtain," and establishment of "small anti-Communist cells" in all parts of the Soviet-dominated world. The book also contains an interesting discussion of the psyche of the average Soviet citizen, based on the author's own observations and experiences in Russia and among Russian POWs and on an analysis of Western European attitudes bearing on the cold war.—EDUARD TABORSKY, *The University of Texas*.

Documents and Speeches on British Commonwealth Affairs: 1931-1952. EDITED BY NICHOLAS MANSERGH. (London, New York, Toronto: Oxford University Press. 1952. 2 vols. Issued under the auspices of the

Royal Institute of International Affairs. Pp. xli, 604; xvii, 605-1308. 84s. net.)

These volumes are a rich addition to the growing collection of documentary and interpretative works on the empire-commonwealth issued by the Oxford University Press. Professor Mansergh has recently published a supplement to Hancock's *Survey of British Commonwealth Affairs* and the present collection serves as a sequel to Berriedale Keith's similar collection for the years 1918 to 1931. The speeches and documents here assembled bring the story from the Statute of Westminster, 1931, to the present day. Their inevitable emphasis is on constitutional matters but extensive materials on foreign and defense policy, financial stability, and economic development are also included.

World Population and Production: Trends and Outlook. By W. S. WOYTINSKI AND E. S. WOYTINSKI. (New York: The Twentieth Century Fund. 1953. Pp. lxxii, 1268. \$12.00.)

Replete with tables, maps, and graphs, this book gives in elaborate detail the present condition of man in relation to the economic aspects of his environment, and indicates possible developments in the future. Most of the figures include generous samples from the past, thereby lending historical perspective to the view, and division of the statistics along geographic and national lines affords the basis for a comparison of region with region, country with country. The contents are arranged in five major divisions, *viz.*, Man and His Environment, World Needs and Resources, Agriculture, Energy and Mining, and Manufactures.

Der Diplomatische Dienst: seine Geschichte und Organisation in Frankreich, Grossbritannien, und den Vereinigten Staaten. By RICHARD SALLER. (Stuttgart: Deutsche Verlags-Austaet. 1953. Pp. 368.)

This is a meticulous, detailed, and carefully documented description and explanation of the diplomatic services of the countries named. It is intended to inform its German readers and lead them forward in the creation of a new diplomatic service of their own. Needless to say, it provides a wealth of useful information for American readers. The author has had sufficient experience with Nazi Germany, with England and France and the United States—including Harvard College—to give him both a detached outlook and an intimate under-

standing of the things whereof he writes.—P.B.P.

Ventures in Diplomacy. By WILLIAM PHILLIPS. (Boston: The Beacon Press, 1953. Pp. xxv, 477. \$5.50.)

No secrets are revealed, but thoroughly fascinating are these informal recollections of a man whose public career began in 1903 as secretary to the American Ambassador in London (Joseph Choate) and ended as a member of the Anglo-American Committee of Inquiry on Palestine. In the intervening years the author served as, among other positions, Assistant Secretary of State during the first World War, Minister to Holland, Under-Secretary of State during the Coolidge Administration, Ambassador to Belgium, Minister to Canada, Under-Secretary again from 1933 to 1936, Ambassador to Italy, director of OSS in London, the President's Personal Representative in India in 1943, and political adviser with SHAEF. The concluding few pages contain some wise advice for would-be foreign service officers.

The United States in World Affairs: 1952. By RICHARD P. STEBBINS. (New York: Harper & Bros. 1953. Pp. xiv, 492. \$5.00.)

Documents on American Foreign Relations: 1952. EDITED BY CLARENCE W. BAIER AND RICHARD P. STEBBINS. (New York: Harper & Bros. 1953. Pp. xv, 391. \$5.00.)

The Council on Foreign Relations' annual volume is an admirable and well-written survey of a year full of the usual crises and alarms and marked by two other events of international significance—the U.S. presidential elections in which foreign affairs were a major topic, and the Nineteenth Congress of the Communist party. The final chapter, "NATO in the Doldrums," reflects concern over the apparent dwindling of the common purpose shared by the Western allies. The volume is also available in text edition.

The book of documents covers most of the subjects considered in the survey volume, and is organized in topical fashion for handy reference.

International Relations: Basic Documents. By ELMER PLISCHKE. (New York: D. Van Nostrand Co. 1953. Pp. xii, 194. \$2.95.)

Over 200 documents provide illustrative material for the various customary divisions of the international relations course; a number of charts show the organization of foreign

offices, the UN, international conference delegations, etc.

Year Book of the United Nations. 1952. (New York: Columbia University Press in co-operation with the United Nations. 1953. Pp. ix, 981. \$12.50.)

This sixth annual yearbook, handsomely prepared, summarizes the UN's history from 1946 and presents a detailed report of its activities in 1952. These activities are now conveniently presented under subject-headings covering the whole organization.

How Nations See Each Other: A Study in Public Opinion. BY WILLIAM BUCHANAN AND HADLEY CANTRIL. (Urbana, Ill.: University of Illinois Press. 1953. Pp. ix, 220. \$5.00.)

The results of a UNESCO-sponsored poll in nine countries testing opinions—as well as national variations—on such questions as the possibility of world peace, the acceptance of a supranational world government, and the people for which the most and least friendliness is felt.

Fédération Internationale: Idées D'hier—Possibilités de demain. BY LASZLO LEDERMANN. (Neuchâtel, Suisse: Editions de la Baconnière. 1950. Pp. 174.)

A lucid essay-like and highly readable small volume by a lecturer at the University of Geneva who is a staunch partisan of federalization as a means of facilitating the solution of many major world problems. It includes comments on the federal ideas of Saint-Simon and Proudhon and, by way of contrast, on those of the German Constantin Frantz; as well as a brief and rather superficial review of a number of federal and quasi-federal arrangements of the past.

The United States and Italy. BY H. STUART HUGHES. (Cambridge: Harvard University Press. 1953. Pp. xi, 256. \$4.00.)

A condensed survey discussing the land and the people, the recent history, the legacies of Mussolini, the consequences of war, the struggle with social, economic, and political problems since 1945, and, in conclusion, the election of June, 1953. As with other books in the American Foreign Policy Library, U.S. relations are dealt with only briefly.

The South Seas in Transition: A Study of Post-War Rehabilitation and Reconstruction in Three British Pacific Dependencies. BY

W. E. H. STANNER. (Sydney, Wellington, London: Australasian Publishing Co. 1953. Pp. xiv, 448. \$6.00.)

Sharp comment on the Western approach to "development" in non-Western lands concludes this exhaustive report on rehabilitation and reconstruction in the British Pacific dependencies of Papua-New Guinea, Fiji, and Western Samoa. The manuscript was completed in 1947 but essential additions have been made through 1950.

Soviet Policy in the Far East: 1944-1951. BY MAX BELOFF. (London, New York, Toronto: Oxford University Press. 1953. Pp. vii, 278. \$4.00.)

A careful compilation and analysis of available information by an English historian who allows himself only the most tentative of conclusions as to what "plan" the Soviets may have had for the Far East, and to what extent events in the Far East really may be traced to Soviet influences.

What Price Israel. BY ALFRED M. LILIENTHAL. (Chicago: Henry Regnery Co. 1953. Pp. viii, 274. \$3.95.)

An American of Jewish faith insists upon the need to distinguish among Jews, Zionists, and Israelis; the first are members of an organized religion, the second sought the creation of a national state for Jews, and the third are nationals of that state. Not all Jews are Zionists, and the author is concerned about the possible consequences if American Jews forget the obligations of American citizenship in their enthusiasm for Israel.

Struggle for Africa. BY VERNON BARTLETT. (New York: Frederick A. Praeger. 1953. Pp. ix, 246. \$3.95.)

A political and economic survey based largely on the author's travels. It attempts to deal with the political problems of the entire continent—a rather comprehensive task for such a brief volume.

The Economic Impact on Under-Developed Societies: Essays on International Investment and Social Change. BY S. HERBERT FRANKEL. (Cambridge: Harvard University Press. 1953. Pp. vii, 179. \$3.25.)

A collection of essays by an Oxford professor on various colonial (largely African) economic problems. The central theme is the conflict between industrialism and the indigenous economies.

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H. ARTHUR STEINER*

University of California (Los Angeles)

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POLITICAL THEORY, RESEARCH, AND METHODOLOGY

Les idées politiques en France sous la Restauration. By DOMINIQUE BAGGE. (Paris: Les Presses Universitaires de France. 1952. Pp. xiv, 462. Fr. 1,500.)

This is an exceptionally good study of the political ideas of an unusually interesting period of French history.

Twenty-five years before, the centuries-old regime of France had been shaken, then wiped out. A new regime had grown among enthusiastic supporters, but at the price of terrible internal and international struggles. Bonaparte had tried to consolidate the social conquests of this new regime while returning to normalcy. He had been led to wars and had failed in his turn. Nothing had been spared of established ideas and the most firmly settled habits of thought.

This was a conjuncture most favorable to a proliferation of political ideas. In his study of the period, the author distinguishes three great streams of thoughts. The individualistic stream, issuing mainly from the Revolution, comprises the *libéraux* (Madame de Staël, Benjamin Constant), the *doctrinaires* (Royer-Collard, Guizot), the *Républicains* (Destutt de Tracy, Thiers, Courrier, Béranger), and, to a

certain extent, some *royalistes*, such as Chateaubriand. Opposite to it, the theocratic and counter-revolutionary school numbers such representatives as Joseph de Maistre, Bonald, and La Mennais. But a new idea grew out of the great whirlwind of ideas of this epoch and from the new conditions of life: socialism, advocated chiefly by Fourier, Saint-Simon, Enfantin, Bazard, and Auguste Comte.

The study of this period could not be made more fascinating than it is in this book. The brightness of the style, which strikes the reader from the very beginning, never leads to any sacrifice of the substance. The reasoning is always strong as well as sharp. Moreover, from the huge amount of documentation gathered through a thorough study of the books, newspapers, manifestos, and pamphlets published at the time, the author selected the most illustrative sentences or passages, thereby helping to make the text more attractive and more lively. The book, which has received considerable attention from French political scientists, deserves to be known in the United States.—ANDRÉ R. TUNC, *University of Grenoble*.

Politik als Wissenschaft. By OSSIP K. FLECHTHEIM. (Berlin: Deutsche Hochschule für Politik. 1953. Pp. 42.)

Arousal of interest in political science in Germany has been one of the accomplishments of the American "re-education" efforts in that country. There are now a number of chairs at the regular universities, and several special "Schools of Politics," among them the Berlin *Hochschule fuer Politik* (successor to the only prewar German institution of this kind). What still worries German political scientists, however, is the problem of the "scientific" character of their new discipline. This problem is the object of a little study (only 42 pages in length but full of ideas) which has appeared in the new series of publications of the Berlin *Hochschule*. Its author discusses the following questions: What is the realm of the "political," and how can it be distinguished from the general field of social phenomena? Is politics art or science? What are the specific methods of political science? How far can it be value-free? To what extent can it predict events? In what is perhaps the most interesting section, the author takes up the problems of the sociological foundations of political science—problems which generally have been much neglected and yet are of great importance in a world where independent research is more and more threatened, and this not only in totalitarian sectors.—JOHN H. HERZ, *College of the City of New York*.

Political Science in Western Germany: Thoughts and Writings, 1950-1952. By A. R. L. GURLAND. (Washington: Library of Congress, Reference Department, European Affairs Division. 1952. Pp. viii, 118. \$1.00.)

A descriptive and analytical survey of West German books and articles relative to political science published in 1950-52. Arranged according to topics and includes a reference index of authors.

Das Studium der Politischen Wissenschaften im In- und Ausland. By GÜNTER OLZOG. (München: Isar Verlag. 1953. Pp. 156.)

A German scholar summarizes the present arrangements for study of political science in thirty-five nations.

Thorstein Veblen: A Critical Interpretation. By DAVID RIESMAN. (New York: Charles Scribner's Sons. 1953. Pp. xiii, 221. \$3.00.)

Writing in the chatty, personal-essay style with which his many readers are familiar, Riesman draws a fascinating portrait of an extraordinary personality. In so doing he emphasizes the inchoate and seemingly amorphous character of Veblen's exposition, thus leaving the reader in considerable doubt as to whether Veblen had anything to say that is of any great significance for the present generation.

The Economics of Sellers' Competition: Model Analysis of Sellers' Conduct. By FRITZ MACHLUP. (Baltimore: The Johns Hopkins Press. 1953. Pp. xx, 582. \$6.50.)

A simplified presentation of price theory with relatively little use of geometry and no use of algebra or calculus. Among the novel concepts developed are polypoly (many sellers) and pliopoly (new sellers in an old field, i.e., more sellers).

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FRANCIS G. WILSON

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NEWS AND NOTES

PROFESSIONAL CONFERENCES

NEXT ANNUAL MEETING OF THE ASSOCIATION

The Fiftieth Annual Meeting of the American Political Science Association will be held September 9-11, 1954, at the Sherman Hotel in Chicago. The Chairman of the Program Committee is Professor Stephen K. Bailey, Wesleyan University; the Chairman of the Committee on Local Arrangements is Professor C. Herman Pritchett, University of Chicago.

The Fifty-Ninth National Conference on Government of the National Municipal League was held in Richmond, Virginia, November 8-11, and attracted 1033 registered visitors, as well as hundreds of high school and college students. An important aspect of the meeting was the method by which the Conference and its facilities were made available to all of Richmond's high schools, colleges, and universities. Seven school and college assemblies were arranged at which six leading Conference participants delivered addresses on the general topic "Youth in Civic Affairs." Among the speakers were George Gallup, Director of the American Institute of Public Opinion and new president of the National Municipal League; Charles Edison, former Governor of New Jersey; and Charles Coates, General Manager of the Citizens' Committee for the Hoover Report. More than 7,000 students were reached by these speakers.

Main speakers at the luncheon and dinner meetings of the Conference were Mr. Gallup and Mr. Edison, Frank C. Moore, former Lieutenant Governor of New York, Karl Detzer, Roving Editor of *Reader's Digest* and Spencer Miller, Jr., Assistant Secretary of Labor. More than 400 civic and business leaders, state and local officials, political scientists, and interested citizens attended the twenty-two panel sessions of the Conference. Among the topics discussed were: "Cities and the National Government," led by Sherwood Reeder, President of the Pennsylvania Economy League; "Consider the Whole City," Hugh Pomeroy, Planning Director of Westchester County, New York; "Effective Citizens' Associations," Mrs. Siegel W. Judd, Grand Rapids Citizens' Action; "Ethics for Legislators," Professor Belle Zeller, Brooklyn College; "Women as Campaigners," Margaret

Hickey, Public Affairs Editor, *Ladies Home Journal*; "More Responsible States," Frank C. Moore, President, Government Affairs Foundation, Inc.; "The Newspaper as a Civic Force," Virginius Dabney, Editor, *Richmond Times-Dispatch*; and "Policymaking Machinery in the Council-Manager Plan," J. M. Kernochan, Columbia University.

Featured at the Conference was the presentation of twenty-two "cases," before a jury of twelve, by finalist cities in fifteen states competing for the 1953 "All-America Cities" awards. Half of those communities competing will be selected later in the year. The awards will be given on the basis of evidence presented before the jury of local progress achieved as the result of citizen action. The contest is sponsored jointly by *Look Magazine* and the National Municipal League.

The Twenty-Fifth Annual Meeting of the Southern Political Science Association was held on November 5-7 at the University of Florida in Gainesville as a part of the centennial celebration of that institution. Approximately 160 persons were in attendance. Panel discussions were devoted to the following topics: "The First Nine Months of the Eisenhower Administration," "Problems of Suburbia," "Southern Politics—Effects of the 1952 Elections," "The Immigration and Nationality Act of 1952," "Recent Trends in Methodology in Political Science," "Problems in United States Foreign Policy," and "The Supreme Court and Segregation." The presidential address was delivered by Professor Charles B. Robson, and Dr. Hugh L. Elsbree, Managing Editor of the *AMERICAN POLITICAL SCIENCE REVIEW*, addressed the meeting briefly as representative of the American Political Science Association. Two other

major addresses were delivered by Professors Francis W. Coker and John Gaus on the respective subjects, "Free Speech and the Silent Professor" and "The University, Political Science and the Public Service." Special recognition was accorded to the past presidents of the Association on this Twenty-Fifth Anniversary occasion, and Professor Cullen B. Gosnell of Emory University, first president of the Association, responded on behalf of the past presidents. The following officers were elected for the ensuing year: Professor Walter H. Bennett, University of Alabama, president; Professor John Hallowell, Duke University, vice-president; Professor Arthur B. Dugan, University of the South, recording secretary; Professor David R. Deener, Tulane University, Professor Robert K. Gooch, University of Virginia, and Dr. Robert E. Lowry, Tennessee Valley Authority, members of the executive council. Professor Lee S. Greene of the University of Tennessee was elected Editor of the *Journal of Politics* for the remaining two years of the unexpired term of Professor René de Visme Williamson who had resigned.

From August 29 to September 4, the Citizenship Clearing House sponsored three regional workshops in practical politics for a selected group of young teachers in political science who are interested in training for political participation. The New England session was held at Newtown, Connecticut, under the direction of Professor E. E. Schattschneider; the Midwest Workshop, at Michigan State College, East Lansing, under the direction of Professor James W. Miller; and the Pacific Northwest meeting, at the University of Washington, Seattle, under the direction of Professor Hugh Bone.

Designed to provide an informal course on practical politics, these workshops were limited to twenty-five young political scientists. The emphasis was on informality, and much of the discussion was conducted through panel sessions. The faculties of the workshops were composed of political leaders and more experienced political scientists, and in the three workshops more than thirty political leaders and ninety-four political scientists were involved.

Among the political leaders at the New England session were: John M. Bailey, Connecticut Democratic State Chairman; Professor Stephen K. Bailey, Mayor of Middletown, Connecticut; General Raymond Watt,

former Assistant to Governor Lodge; Gus Tyler, Director of the Political Department, ILGWU. In the Midwest, political leaders included: Byron G. Allen, Minnesota Democratic National Committeeman; D. Hale Brake, State Treasurer of Michigan; Governor G. Mennen Williams; Mrs. Margaret Price, Michigan Democratic National Committeewoman; Bradshaw Mintener, Chairman, Minnesotans for Eisenhower; Owen J. Cleary, Michigan Secretary of State; John Feikens, Chairman, Michigan Republican State Committee, and Neil Staebler, Chairman, Michigan Democratic State Committee. Prominent at the Pacific Northwest Workshop were George C. Kinnear, Republican State Chairman; Ed Munro, Democratic State Committeeman; and Mr. and Mrs. Richard Neuberger, members of the Oregon Legislature.

The discussion at these workshops was oriented toward encouraging students to participate in, as well as to understand, our governmental institutions. The scope of the conferences can perhaps be best illustrated by the program of the Midwest Workshop, which included such topics as: the development of course techniques and materials for interesting students in practical politics, field work courses, the importance of the political party in the lawmaking process, interdisciplinary studies in political behavior, local political surveys, programs and projects to provide both academic and political experience for students, and the role of college administrators in encouraging political participation by young college men and women.

The Political Science Group of the University Center in Georgia held a dinner meeting on November 23, at Stone Mountain, Georgia. Present were political scientists from Emory University, Georgia Institute of Technology, Oglethorpe University, University of Georgia and the Atlanta Division, University of Georgia. Cullen B. Gosnell, chairman of the group, presided over the meeting. The topic of the program was "Techniques of Teaching the Introductory Course in Political Science." Participating on the panel which led the discussion were: Morris W. H. Collins, Jr., University of Georgia, who served as moderator; George Brasington, of Emory University; Samuel J. Mantel, Jr., of Georgia Tech.; Willard E. A. Range, of the University of Georgia; and Robert J. Steamer, of Oglethorpe University. Particular attention was given to newer techniques of instruction, viz., case

method, role-playing, laboratory field research, and use of audio-visual aids.

The annual Mid-West Conference of Political Scientists will be held on the University of Iowa campus on April 29, 30 and May 1. Presiding at the sessions will be President Harry Voltmer of DePauw University. The chairman of the program committee for the year is Professor David Fellman of the University of Wisconsin.

Through an oversight, the minutes of the September 9, 1953 meeting of the Council of the American Political Science Association, published in the December, 1953 issue of the

REVIEW, did not list the selections for the 1953 book awards, for which books published in 1952 were eligible.

The Woodrow Wilson Foundation Award for the best book in the field of government and democracy went to Clinton Rossiter's *Seedtime of the Republic*; the Franklin D. Roosevelt Foundation Award for the best book in the field of government and human welfare, to Mulford Q. Sibley and Philip E. Jacob's *Conscription of Conscience*; and the Freedom House, Willkie Memorial Building Award for the best book in the field of international relations, to F. S. C. Northrop's *The Taming of the Nations*.

OTHER ACTIVITIES

Methods of nominating presidential candidates in the United States will be the subject of scientific study by the Brookings Institution, it was announced jointly in October by Robert D. Calkins, President of the Institution, and Francis H. Lindley, President of the Haynes Foundation of Los Angeles, which has made a grant of \$42,300 for the project. The investigation will be under the direction of Paul T. David, senior staff member of the Brookings Institution. The study will re-examine convention procedures. It will compare practices in states having presidential primaries for selecting delegates to national conventions with those using other methods. Also to be studied are the apportionment of voting strength among the states, instructed delegations, the unit rule, problems of communication among delegates and leaders during convention sessions, the pressures on the individual delegate, and similar topics. A special inquiry will be made into the voting behavior at the 1952 conventions to examine the conduct of delegations sent from state conventions as compared with that of delegations selected by state primaries.

The Brookings study is a sequel to the research now being completed by the American Political Science Association, scheduled for publication this spring under the title, *Presidential Nominating Politics in 1952*. This is a five-volume report prepared for the Association under the direction of Paul T. David, who was loaned by the Brookings Institution to the Association for the purpose.

A traveling seminar of professional persons to visit Yugoslavia, Greece, Turkey, Syria, Lebanon, Israel, Jordan, and Egypt is an-

nounced by the San Francisco State College for the coming summer. Under the direction of Dr. Alfred G. Fisk, professor of philosophy, the group will leave New York by air on June 29 with return scheduled for September 1. Visits will be made to governmental ministries, educational and social service institutions, and historic sites, and interviews with prominent persons will be held in all the countries visited. The group will travel on a cooperative, non-profit basis. College credit is available but not required. Inquiries should be addressed to Dr. Alfred G. Fisk, San Francisco State College, San Francisco 27, California.

A new organization, The Population Council, Inc., has recently been established as a non-profit corporation to encourage research and education concerning the relationship of the world's population to its material and cultural resources. The Council plans to study the problems of the increasing population of the world, to support research, and to make known the results of such research. It will serve as a center for exchange of facts and information on population questions and cooperate with individuals and institutions having similar interests. The trustees of the Council are the Messrs. Frank G. Boudreau, Detlev W. Bronk, Karl T. Compton, Frank W. Notestein, Frederick Osborn, Dr. Thomas Parran, John D. Rockefeller, III, and Lewis L. Strauss.

The Council does not plan to conduct research or educational activities with its own staff. It has already made a small number of research grants to universities and other established organizations, and has established a number of fellowships for the training of students in the field of population. The purpose

of the Council's fellowship program is to assist in the advanced training in the study of population of students in the social and natural sciences at the predoctoral or postdoctoral levels. The Council is planning to grant approximately six fellowships (for study in the United States and elsewhere) during the academic year 1954-55, to be divided between students from the United States and from other countries. Fellows will normally receive support for fulltime work for a period of about one year. The basic stipend at the rate of \$2500 per year may be supplemented to provide for maintenance of dependents, and especially in the case of foreign students, for travel or exceptional expenses. It may be diminished to take account of lesser needs or partial support from other sources. Somewhat larger stipends may be granted to postdoctoral than to predoctoral fellows. Preference will be given to candidates who are not over forty years of age.

For information or application forms relating to this program, inquiries should be addressed to Mr. Frederick Osborn, Executive Vice-President of the Council, 230 Park Avenue, New York 17, New York.

A unit of the Citizenship Clearing House to function for the eastern half of Pennsylvania has been established at the University of Pennsylvania. The program for the current year includes a student conference in which political party leaders will participate; a series of dinner meetings to be held at several locations in eastern Pennsylvania for the purpose of mutual exploration of relationships between educational institutions and the organized political parties; a survey of current political activity of graduates who have majored in political science; and a workshop to bring together for purposes of practical education party functionaries and young instructors teaching in the field of government.

The *Deutsche Hochschule für Politik* at Berlin-Schöneberg has been awarded a two-year grant of DM 69,000 by the Rockefeller Foundation for the preparation of a series of outlines and source books in political science. These are intended primarily for the use of students in view of the fact that no such material is yet available in Germany. An editorial committee has been appointed, consisting of the Director of the School, Otto Suhr, Dr. Hans Reif, and Professor O. K. Flechtheim. Professor Flechtheim, who has been relieved

of his teaching duties at the school for a period of two years, is to serve as managing editor. Most of the volumes will be written by members of the faculty of the *Hochschule*. They will be devoted to the German party system, foreign governments, political theory, international organization, and German government and administration.—OSSIP K. FLECHTHEIM.

The Carnegie Corporation, on September 24, 1953, approved a grant of \$75,000 to the Inter-University Case Program for the three-year period ending in March, 1957. The Inter-University Case Program, a collaborative venture carried on by forty-five colleges and universities, has stimulated the development and use of case studies in policy formation and public administration. To date the Program has published forty-two case studies. Twenty-six of these appeared in a casebook, *Public Administration and Policy Development*, edited by Harold Stein.

For the seventh consecutive year, the Survey Research Center of the University of Michigan will hold its Annual Summer Institute in Survey Research Techniques. This special program is designed to illustrate the theory and application of survey research to such fields as business and human relations, education, psychology and sociology, political behavior, public affairs, public health, economics, statistics, etc. Again this year a special workshop will be offered in the practical application of survey research methods to these individual fields. The dates for the regular session are July 19 to August 13, with an introductory session from June 21 to July 16. Further information may be obtained from the Survey Research Center, University of Michigan, Ann Arbor, Michigan.

In November, the University of Georgia was granted approximately \$4,000,000 to establish a comprehensive program in continuing education. The Kellogg Foundation granted the University some \$2,000,000 and the remainder will come from state funds. An elaborate continuing education center will be constructed on the University campus at Athens, including a television station, extensive film-producing facilities, and hotel accommodations for some 400 persons. Morris W. H. Collins, Jr., assistant professor of political science and director of the Bureau of Public Administration, served on the four-

man University research committee which helped prepare the proposal on which this grant was based. Plans for the program in continuing education envisage a greatly expanded program of training public officials by the Bureau of Public Administration of the University of Georgia.

Several members of the department of political science at the Pennsylvania State University are participating in an educational program for labor leaders from other countries of the world who are brought to the University by the U. S. Office of Education and the Foreign Operations Administration. Participants have been Professors Elton Atwater, Vernon Aspaturian, Wallace Brewster, John H. Ferguson, Nelson McGeary, and Neal Riemer.

Members of the department of political science at the University of California (Los Angeles) held two seminars in December, 1953. On these occasions the department was host to Thomas L. Stokes, distinguished journalist, and Murray Chotiner, campaign manager for Vice-President Richard M. Nixon.

Joseph E. Black, assistant professor of government at Miami University, has been appointed supervisor of the Foreign Study Program of Miami University Abroad. The academic portion of this summer travel program, which offers academic credit in political science, economics, and history, includes study at the London School of Economics and the Sorbonne.

Phillips Bradley, of Syracuse University, will accompany a class from the University on a six-weeks' tour of American government during the coming summer. Two weeks each will be spent in Albany, New York, New York City, and Washington, conferring with officials and studying special problems of the federal system.

Arnold Brecht, professor of political science, jurisprudence, and public finance on the Graduate Faculty, New School for Social Research, will become professor emeritus in March, 1954. He has accepted an invitation from the University of Heidelberg, Germany, to lecture on political science as a guest professor from May through July, but plans to return to the United States in September.

John J. Corson, manager of the Washington office of McKinsey and Company, management consultants, and former Director of the

U. S. Employment Service, opened the 1953-54 series of "Lectures in Administration" given at the Cornell University School of Business and Public Administration. Dr. Corson spoke on November 10, 1953, on the "Use of Logic in Administration." Other scheduled lecturers are Charles P. Taft, attorney; Hubertus J. van Mook, of the United Nations' Technical Assistance Administration; Robert Moses, Park Commissioner of New York City; Eugene Holman, President of the Standard Oil Company of New Jersey; and Victor Emanuel, Chairman and President of the Avco Manufacturing Corporation.

Professor Marshall Dimock has assumed his duties as Head of United Nations Mission in Ankara, Turkey. He is Co-Director of the Institute of Public Administration for Turkey and the Middle East and is also Acting Resident Representative of the United Nations Technical Assistance Board. During the first three months of 1954 he took leave to participate as a staff member in the Administrative Staff College, Henley-on-Thames. Professor Dimock will return to the United States at the end of the summer, 1954.

Professor Henry W. Ehrmann of the University of Colorado has been appointed a member of the National Selection Committee for Fulbright Awards for the current year. He returned recently from France where he prepared a study on French management organizations.

Two members of the American Political Science Association, Professor Russell H. Fitzgibbon of the University of California at Los Angeles and Professor Harry Kantor of the University of Florida, were the guests of the Costa Rican government at the ceremonies held in connection with the inauguration of the new president of Costa Rica, Jose Figueres. Professors Fitzgibbon and Kantor were *invitados especiales*. Over 600 diplomatic representatives and outstanding men of letters, scholarship, business, and other fields from all over the world attended the ceremonies.

Professor B. Mirkine-Guetzévitch has resumed his duties as Dean of the Faculty of Law and Political Science of the French *Ecole Libre des Hautes Etudes* in New York. He has recently returned from Paris where he served as a professor in the Institute of Advanced International Studies at the University of Paris, and in the *Ecole Nationale d'Adminis-*

tration. He has also resumed the publication of the collection, *La Vie Juridique des Peuples*, of which he is the editor. Professor Mirkine-Guetzévitch was elected Vice-President of the New International Institute of Political Philosophy recently established at the Sorbonne.

Saul K. Padover, professor of political science on the Graduate Faculty, New School for Social Research, spent the fall of 1953 on a lecture tour of Southeast Asia. He lectured before universities, colleges, and civic groups in India, Rangoon, Mandalay, Bangkok, Kuala Lumpur, Penang, Saigon, and Hongkong. His topics included the American federal structure, the United States Supreme Court, the American concept of democracy, minorities, and the capitalist system. Professor Padover resumed his work at the New School in December.

Norman D. Palmer, professor of political science at the University of Pennsylvania, delivered lectures on "Indian Attitudes toward the United States" at a meeting of the World Affairs Council of Philadelphia on October 7, and at the Ursinus College Forum on November 11.

Leo C. Riethmayer, chairman of the department of political science at the University of Colorado, was elected in November to a six-year term on the Boulder City Council. For the past year he has served as Vice-Chairman of the Boulder County Planning Commission.

E. E. Schattschneider, of Wesleyan University, will serve as visiting scholar at the University of Georgia, Emory University, and Agnes Scott College during the first week of March, 1954. Professor Schattschneider's visit is being sponsored by the University Center in Georgia.

Leo Strauss, professor of philosophy at the University of Chicago, gave a series of Walgreen Foundation lectures at that institution during November on the subject "Machiavelli and Machiavellianism."

FACILITIES OF THE OFFICE OF PUBLIC AFFAIRS,
DEPARTMENT OF STATE, AVAILABLE TO
UNIVERSITIES AND COLLEGES

The Department of State is interested in cooperating with universities and colleges in their efforts to meet the need for widespread understanding of foreign policy problems. Among the services which the Department,

through the Public Services Division, is prepared to offer in response to requests are: arranging for Department of State officers to speak to student, faculty, or community groups throughout the country, when it is possible for them to do so; holding policy briefings in the Department of State for interested groups; providing films and other visual media; issuing special background materials, other than Department of State publications, to meet particular needs.

The Department has cooperated with universities and colleges in holding two or three day regional conferences for the adult public from surrounding areas. These conferences have been devoted to a single foreign policy problem, or to a more general consideration of foreign policy. The Department has, on request, assisted with the planning, supplied relevant Department of State publications, and provided speakers. The Department welcomes the opportunity to discuss problems with the public and to learn the views of interested citizens. These conferences have been an exceptionally successful method of encouraging a two-way flow of information. Inquiries should be addressed to the Public Services Division, Department of State, Washington 25, D. C.

Many university and college libraries are on the Department's mailing list for publications and periodicals. In addition, nineteen regional distribution centers have been established throughout the country from which Department of State publications may be obtained. They are: (1) World Affairs Council of Northern California, 421 Powell Street, San Francisco 2, California; (2) University of Denver, Social Science Foundation, Denver 10, Colorado; (3) Chicago Council on Foreign Relations, 116 S. Michigan Avenue, Chicago 3, Illinois; (4) Thomas F. Cunningham Reference Library, International House, Gravier and Camp Streets, New Orleans 12, Louisiana; (5) Minnesota World Affairs Center, University of Minnesota, Minneapolis 14, Minnesota; (6) United Council on World Affairs, 355-A Boylston Street, Boston 16, Massachusetts; (7) Woodrow Wilson Foundation, 45 East Sixty-fifth Street, New York 21, New York; (8) Southeastern Association for Adult Education, University of North Carolina, Chapel Hill, North Carolina; (9) Council on World Affairs, 922 Society for Savings Building, Cleveland 14, Ohio; (10) University of Utah Library, Salt Lake City, Utah; (11) American Association for the United Nations, 909 Fourth Avenue, Seattle 4, Washington; (12)

International Center, University of Louisville, Louisville 8, Kentucky; (13) Institute of International Affairs, 1620 S.W. Park Avenue, Portland 1, Oregon; (14) Buffalo Council on World Affairs, Inc., 921 Genesee Building, Buffalo 2, New York; (15) Woodrow Wilson School of Foreign Affairs, University of Virginia, Charlottesville, Virginia; (16) World Affairs Council of Philadelphia, 3rd Floor Gallery, John Wanamaker Store, Thirteenth and Market Streets, Philadelphia 7, Pennsylvania; (17) Dallas Council on World Affairs, 2419 Maple Avenue, Dallas, Texas; (18) St. Louis Council on World Affairs, Inc., 511 Locust Street, St. Louis 1, Missouri; (19) American Association for the United Nations, Ambassador Hotel, Los Angeles, California.

Faculty members may request that their names be put on the mailing list of the Public Services Division for single copies of De-

partment of State publications. Larger quantities may be ordered from the Superintendent of Documents, U. S. Government Printing Office, Washington 25, D. C. Subscriptions to the weekly Department of State *Bulletin* (\$7.50 a year, single copies twenty cents), the bi-weekly *Foreign Policy Briefs* (\$1.00 a year, single copies five cents), and the bi-monthly *Field Reporter* (\$1.50 a year, single copies thirty cents), and orders for catalogues of State Department publications may also be placed with the Government Printing Office.

The Public Services Division as the division of the Department of State most actively engaged in working with the public will be glad to consider any requests which universities and colleges may send them for these services, and to work with them to serve their particular needs.—RICHARD FRIEDMAN, Chief, Organization Liaison Branch, Public Services Division.

APPOINTMENTS AND STAFF CHANGES

Willard F. Barber, formerly Deputy Assistant Secretary of State for Latin American Affairs, recently transferred from the U. S. Embassy at Lima, Peru, where he was Counselor, to the U. S. Embassy at Bogota, Colombia, where he is serving as Chargé d'Affairs.

Paul Beckett has resumed his position as associate professor of public administration at the State College of Washington after a two-year leave of absence. While on leave, Professor Beckett was responsible for setting up and directing a new Department of Public Administration as part of a technical assistance program sponsored by the U. S. Technical Cooperation Administration at the American University of Beirut, Beirut, Lebanon.

Guthrie S. Birkhead returned to the faculty of the department of political science, Maxwell Graduate School of Citizenship and Public Affairs, Syracuse University, after one year's leave as the first staff fellow of the National Municipal League.

Donald C. Blaisdell is visiting professor of political science for the academic year 1953-54 at the University of Florida. He has returned to the United States from a Department of State assignment in Geneva, Switzerland, where he was representative to international organizations with headquarters in Geneva.

Anthony T. Bouscaren left the University of San Francisco in July, 1953, to become Director of the Institute of Soviet and Communist Studies in Winnetka, Illinois. He lectured in the fall semester at Loyola University, and has accepted an appointment as chairman of the department of political science at Marquette University beginning February 1, 1954.

Donald W. Brandon, who was recently a fellow and teaching assistant at the University of California (Berkeley), has been appointed instructor in political science at the University of San Francisco.

John E. Burton, Vice-President—Business of Cornell University and Chairman of the New York State Power Authority, has been appointed a lecturer in public administration at the Cornell University School of Business and Public Administration.

Fred V. Cahill, Jr., recently on military leave from Yale University where he was assistant professor of political science, has been appointed professor of government at the University of Massachusetts. During his tour of military duty Professor Cahill was assigned to the Office of the Assistant Chief of Staff, G-2, Intelligence, Department of the Army.

Werner J. Cahnman, formerly with the Evaluation Staff of the Voice of America, has

been appointed adviser to the Italian-American Student Exchange Program of the Institute of International Education.

Francis M. Carney, graduate student at the University of California (Los Angeles), has accepted an appointment as instructor in political science at the University of California (Riverside), effective in February, 1954.

Asher N. Christensen, of the University of Minnesota, is serving as a member of the faculty of the Salzburg Seminar in American Studies for the January session.

George A. Coddington, Jr., who completed his graduate work at the University of Geneva (The Graduate Institute of International Studies) in 1952, has been appointed a lecturer in the department of political science at the University of Pennsylvania.

James S. Coleman accepted an appointment as instructor in political science at the University of California (Los Angeles), effective in September, 1953.

Thomas I. Cook is serving as acting chairman of the department of political science at the Johns Hopkins University during the current academic year.

David Cooperman has been appointed teaching intern in the department of political science at the University of Minnesota under a grant from the Fund for the Advancement of Education.

Morton H. Couden, formerly of the City College of New York, is serving as an instructor in the department of political science at Washington University on a one-year appointment.

Claude B. Cross, who received his Ph.D. degree in political science from the State University of Iowa in August, 1953, has been appointed to the political science faculty of the State College of Washington.

Melvin G. de Chazeau, of the Cornell University School of Business and Public Administration, has been named a consultant to the President's Council of Economic Advisers in Washington.

Ithiel de Sola Pool, of the Massachusetts Institute of Technology, has been appointed visiting lecturer in political science at Yale University.

Karl W. Deutsch resumed his duties as professor of history and political science at the Massachusetts Institute of Technology after a year's leave of absence spent with the Center for Research on World Political Institutions at Princeton University.

Andreas Dorpalen, recipient of grants from the Guggenheim Foundation and the Institute for Advanced Study, is on leave of absence from St. Lawrence University during 1953-54.

Eugene Dvorin, graduate student at the University of California (Los Angeles), spent three months in Africa studying the new federation of Northern Rhodesia, Southern Rhodesia, and Nyasaland.

William Ebenstein, professor of politics at Princeton University, is on leave during the spring term to do research under a Ford Faculty Fellowship.

Lewis J. Edinger, formerly of the Woman's College of the University of North Carolina, has been appointed to an assistant professorship at the Air University, Maxwell Field, Alabama.

Willard H. Elsbree, assistant professor of government at Ohio University, was a member of the United States Delegation to the sixteenth session of the Economic and Social Council which met this past summer in Geneva, Switzerland.

Donald Farmer has been appointed teaching intern in the department of political science at the University of Minnesota under a grant from the Fund for the Advancement of Education.

John H. Ferguson, professor of political science at the Pennsylvania State University, is serving as Director of the Social Science Research Center at that institution. He is scheduled half-time in the department and half-time with the Research Center.

Leroy Ferguson, associate professor of social science and political science at Michigan State College, is on sabbatical leave during 1953-54 and is working with the Survey Research Center at the University of Michigan.

Jason Finkle, formerly a research assistant at the University of Michigan, has been appointed instructor in the department of political science at the University of Florida.

Julian Foster, a former tutor in New College, Oxford University, is presently serving half-time as a visiting lecturer in political science at the University of Michigan.

Robert S. Friedman, who completed requirements for the Ph.D. degree at the University of Illinois last summer, has accepted an appointment as research assistant in the Bureau of Governmental Research, University of Maryland.

Manuel R. García-Mora, assistant professor of political science at the University of Detroit, has been appointed vice-chairman of the department of political science at that institution.

Charles Gilbert, who has been making a case study of the legislative behavior of a United States Senator under a grant from the Social Science Research Council, spent the fall term on the staff of the department of political science at Swarthmore College.

Gilbert F. Gilchrist has been granted a renewal of his General Education Board Fellowship to continue his studies at the Johns Hopkins University.

William Goodman has been promoted to associate professor of political science at the University of Tennessee.

Luther G. Hagard, Jr., who was recently a member of the faculty at The Citadel, has accepted an appointment as assistant professor of government at West Texas State College.

Royal G. Hall is a visiting professor at Stetson University during 1953-54.

Philip S. Haring, formerly of the faculty of the School of Public Relations and Communications, Boston University, is teaching at Northwestern University during the current academic year.

Frederick H. Hartmann is on leave from the University of Florida for the academic year 1953-54 on a Fulbright award. He is spending the year at the University of Bonn, Germany, on research.

William C. Havard has been appointed assistant professor of political science at the University of Florida, succeeding Hugh Marshall who has accepted an appointment at Stanford University. In addition to teaching,

Professor Havard will participate in the program of the University of Florida Public Administration Clearing Service.

Paul M. Herzog, formerly Chairman of the National Labor Relations Board, has been appointed Associate Dean of the Harvard Graduate School of Public Administration. Mr. Herzog is making a survey, financed by a three-year grant from the Carnegie Corporation, of programs of training for the public service.

Duane W. Hill, who received his Ph.D. degree in political science from the State University of Iowa in August, 1953, has been appointed to the staff of Bradley University.

Ralph T. Jans has been appointed lecturer in political science and research associate in the Institute of Public Administration at the University of Michigan for 1953-54.

Henry L. Janssen, recently of the University of California (Santa Barbara Campus), has been appointed assistant professor of political science at San Diego State College.

Claudius O. Johnson resumed his duties at the State College of Washington on February 1 after a year's leave of absence during which time he served as a Fulbright lecturer at the Universities of Sydney and Melbourne in Australia.

Donald Bruce Johnson, of the University of Iowa, was promoted to assistant professor of political science, effective July 1, 1953.

Evans C. Johnson has accepted an appointment as assistant professor on the faculty of Stetson University.

Ned V. Joy, formerly of Princeton University, has joined the political science faculty of San Diego State College as an assistant professor.

Thomas E. Joyner, recently of Champlain College, has accepted an appointment as acting associate professor of political science at the University of Tennessee.

John H. Kautsky, formerly of the Office of Intelligence Research, Department of State, joined the Center for International Studies, Massachusetts Institute of Technology, as a research associate last August.

Jarold A. Kieffer, who has recently been serving as Assistant to the Executive Officer,

Office of Defense Mobilization, has been appointed Assistant to Commissioner Arthur S. Flemming, a member of the new Hoover Commission.

Robert S. Lancaster has been promoted to an associate professorship in political science at the University of the South.

John W. Lederle, of the University of Michigan, has taken leave of absence as director of the Institute of Public Administration and has been appointed by Governor G. Mennen Williams as Controller, Michigan Department of Administration.

Edward H. Litchfield, Dean of the Cornell University School of Business and Public Administration, is serving as a consultant to the Commission on Intergovernmental Relations, in connection with the Commission's research concerning all federal programs that involve expenditures of funds in cooperation with state and local governments.

John Logue, who is pursuing his doctorate at the University of Chicago, has been appointed instructor of political science at the University of Notre Dame.

Lewis C. Mainzer has been appointed instructor in government at the University of Massachusetts. For the past two years Mr. Mainzer has been engaged in research in Washington, D. C., on research policy formation in the Department of Agriculture.

Gerard J. Mangone has been promoted to the rank of associate professor of political science at Swarthmore College. During the summer he was in charge of political orientation aboard student ships for the Council of Student Travel.

Dean E. McHenry, professor of political science at the University of California (Los Angeles), has received a Fulbright appointment to teach at the University of Western Australia in Perth and to do research on Australian politics at Canberra. Professor McHenry will be on sabbatical leave from U.C.L.A. in 1954.

William McIntosh has been advanced to an associate professorship in political science and head of the department of political science at Tennessee Agricultural and Industrial State University, Nashville, Tennessee. He was granted the Ph.D. degree from the University of Minnesota in June, 1953.

Frederick C. Mosher, of Syracuse University, has been appointed Editor of the *Public Administration Review*.

Rita W. Nealon, of New York University, has been advanced to the rank of associate professor and has been appointed Director of the Citizenship Clearing House for Southern New York.

Charles R. Nixon, associate professor of political science at the University of California (Los Angeles), has received a one-year appointment at the University of Natal in Durban, Union of South Africa. Financed by a grant from the Carnegie Corporation, Professor Nixon will assist in the formation of a program of advanced training in social science research which has been inaugurated by the Union's national council for social research. During 1954, Mr. Nixon will be on a special leave from U.C.L.A.

Marbury Bladen Ogle has been named head of the reorganized department of history, government and philosophy at Purdue University.

Gene Overstreet, instructor of political science at Michigan State College, is on leave during 1953-54 to study Indian political parties under a Ford grant.

Frank P. Piskor has been advanced to the rank of associate professor in the department of political science, Maxwell School of Citizenship and Public Affairs, Syracuse University.

Otto C. Press is serving as a teaching intern in political science at the University of Minnesota during 1953-54 under a special grant from the Fund for the Advancement of Education.

Henry Reiff, chairman of the department of history and government at St. Lawrence University, is on leave of absence this year to teach at Ibrahim University, Cairo, Egypt, under the Fulbright program.

Bennett M. Rich, visiting associate professor of political science at the University of Michigan, has been appointed acting director of the Institute of Public Administration.

Nelson M. Robinson, formerly assistant professor of political science at Albright College, has been appointed assistant professor of political science and acting associate director of the Bureau of Public Administration at the University of Tennessee.

Lester G. Seligman has resigned his position at the University of Chicago to accept an assistant professorship in the department of political science at the University of Oregon, where he will participate in the social science honors program and teach in the field of American political behavior.

Ruth C. Silva, assistant professor of political science at the Pennsylvania State University, has returned from a year's leave of absence as a Fulbright exchange professor at the University of Cairo, Egypt.

Theodore H. Skinner has been appointed Acting Director of Evening Studies at Washington Square College, New York University, for the academic year 1953-54. He is replacing Professor Morley Ayearst who is doing research at the University College of the West Indies on a Fulbright award.

Bruce Lannes Smith, until recently associate professor of political science in the Foreign Service Institute, Department of State, is now an associate professor of political science at Michigan State College. He continues to serve as the American editor of *International Political Science Abstracts*.

David G. Smith has accepted an appointment as instructor in the department of political science at Swarthmore College.

Albert Somit has been appointed Director of the Falk Research Program in Political Participation at New York University. He re-

places Professor Ray F. Harvey who is now serving as Director of the new Office of the Budget at the University.

Frank Sorauf, who received the Ph.D. degree at the University of Wisconsin in 1953, was appointed in September as instructor of political science at the Pennsylvania State University.

Robert B. Stauffer has been promoted to an assistant professorship in the department of government at the University of Hawaii.

Kenneth W. Thompson, associate professor of political science at Northwestern University, is on leave for the year 1953-54 to serve as adviser in international relations to the Rockefeller Foundation.

Tang Tsou is serving as a lecturer in political science at the University of Utah during the winter and spring quarters.

Robert W. Tucker has been appointed assistant professor of political science at the Johns Hopkins University. He assumed his new duties at the beginning of the second semester.

Hubertus J. van Mook, Director of Public Administration, Technical Assistance Administration, United Nations, has been appointed a visiting professor of comparative public administration at the Cornell University School of Business and Public Administration during 1953-54.

IN MEMORIAM

Oliver Peter Field died suddenly at his home in Bloomington, Indiana, of a heart attack on October 22, 1953, at the age of fifty-six.

He was born of Norwegian ancestry in Fergus Falls, Minnesota, October 21, 1897. He acquired an interest in people and public discussion in the forum of his father's grocery store and at the age of fourteen contributed to the success of his father's mayoralty campaign by writing speeches. His bent for extracting the most from circumstances was shown by his practice of keeping live fish in a tub from which he could supply, at a price, such fishermen as were reluctant to return home empty-handed. Poor vision, precarious health, delay in learning English until he started school, and the necessity of working his way through college were obstacles which he successfully overcame.

After receiving the Bachelor's degree from St. Olaf College in 1919 and the Master's from the University of Minnesota in 1924, Oliver Field came to Indiana University in the latter year as an instructor in political science, advancing to assistant professor in 1926. He received in 1927 the Bachelor of Laws degree from the Indiana University School of Law. A Sterling Fellowship enabled him to study in the Yale Law School, where he earned the degree of Doctor of Jurisprudence in 1928. He then joined the faculty of the University of Minnesota, where, except for a year as lecturer in government at Harvard University, he was a member of the department of political science, serving as full professor from 1931 to 1939. He returned to the government department at Indiana University in the fall of 1939, where he served as acting chairman

during the two years preceding his death.

Early in his career Professor Field's capacity for scholarship was demonstrated; the last of his many writings appeared only shortly before his death. His first book was a collaborative text in state government. The second was also a text, the widely used *Cases and Authorities on Constitutional Law*. These were followed by a monograph, *The Effect of an Unconstitutional Statute*. He then turned to the developing field of administrative law and there established another reputation, his chief work among several smaller monographs and many articles being *Civil Service Law in the United States*. In later years, Professor Field's interests included the broader aspects of political science. He found that the study of Utopias afforded a unique insight into political motivation. He was also engaged in an examination of the literature of various cultures concerning the training of the King. Although these inquiries were far advanced, the responsibilities of the departmental chairmanship had intervened to preclude further progress.

Professor Field's attainments in public law and political science were early recognized by the American Political Science Association. He participated frequently in its programs and his counsel was often sought on its policies. He served the Association in an official capacity on the Board of Editors, as a member of the Executive Council, and as a Vice-President.

Oliver Field entertained a warm sentiment for Indiana University and for the Bloomington community, a feeling which found a willing and hearty response among his wide circle of friends on the campus and in the town. Two of his writings are devoted to the University. One is an account of political science at Indiana University from 1829 to 1951 and the other, still to be published, a history of Indiana University during World War II. These writings he regarded as the tribute of an alumnus to his alma mater.

Oliver Field's personality was one of many facets. It is not alone his keen insight into the ways of men, his understanding of the society about him, or the high distinction accorded to him by his profession for which he will be remembered. It is these things and more: his kindly spirit, his wise counsel, his confidence in

the common man, his patient uncomplaining endurance of handicap, his contagious zeal for learning, his unconquerable optimism. All of these things together make him memorable to those who were privileged to know him.—EDWARD H. BUEHRIG and JOHN E. STONER.

Hans Leonhardt, professor of political science at Michigan State College, died in Chicago, Illinois, on September 11, 1953, at the age of fifty-two. He had been in ill health for the last two years of his life and was finishing a sabbatical leave from Michigan State College, having returned from Europe a few weeks prior to his death.

A native of Dusseldorf, Germany, Professor Leonhardt had been for many years a maritime lawyer in the former Free City of Danzig. After the advent of the Nazi regime in Germany he acted as legal advisor to the opposition parties in Danzig, negotiating frequently on their behalf between 1934 and 1937 with the High Commissioner of the League of Nations. Following the Nazi successes in Danzig, Professor Leonhardt came to the United States in 1938.

Dr. Leonhardt was educated in Germany at the Universities of Freiberg, Munich, and Berlin. He was a former judge in Dusseldorf and Elberfeld. After coming to the United States he entered the graduate school of the University of Chicago. His doctoral thesis, initiated under the direction of Quincy Wright, was later published under the title *The Nazi Conquest of Danzig*.

Professor Leonhardt came to Michigan State College in 1942 as an instructor. By 1949 he had advanced to the rank of professor. In recognition of his previous legal experience and his many services to the Michigan community he was given an honorary membership in the Ingham County (Michigan) Bar. His crowded classes, his reputation as a brilliant interpreter of international politics earned by his frequent off-campus lectures, and his contributions to professional journals attest to his artistry as a stimulating teacher and to his reputation as a public servant and scholar. But perhaps his colleagues at Michigan State will best remember him for his integrity and his courageous resistance to attacks upon the dignity of the individual.—CARROLL HAWKINS.

SALE OF REPRINTS OF REVIEW ARTICLES

As previously announced, reprints of articles appearing in current issues of the REVIEW will no longer be obtainable at the Washington Office. As in the past, authors will be supplied with a substantial number of copies of reprints. In order to dispose of reprints on hand, the Washington Office is offering copies of any of these reprints at ten cents each. The following titles are available:

September, 1953

La Palombara, "The Italian Elections and the Problem of Representation"
Frischknecht, "The Democratization of Administration: The Farmer Committee System"
Davis, "Reflections of a Law Professor on Instruction and Research in Public Administration"
Thompson, "Collective Security Re-examined"
Cassinelli, "The Law of Oligarchy"
Davey, "The Legislative Council Movement in the United States, 1933-1953"
Laves, "Increasing the Number of Americans Potentially Available for Foreign Assignments"
Hastings, "The Independent Voter in 1952: A Study of Pittsfield, Massachusetts"
Rourke, "Doctoral Dissertations in Political Science in American Universities"
Overacker, "Publications on Australia Useful to a Political Scientist"

June, 1953

Pritchett, "Libertarian Motivations on the Vinson Court"
Lipson, "The Two-Party System in British Politics"
Campbell, Gurin, and Miller, "Political Issues and the Vote: November, 1952"
Holcombe, "An American View of European Union"
Egger, "Nature Over Art: No More Local Finance"
Ostrom, "State Administration of Natural Resources in the West"
Scammon, "British By-Elections, 1952"
Khadduri, "The Role of the Military in Middle East Politics"
Wright, "Agrarian Syndicalism in Postwar France"

March, 1953

Leich, "The Hoover Commission's Personnel Recommendations"
Miller, "Party Preference and Attitudes"
Bosworth, "The Politics of Management Improvement in the States"
Coker, "Some Present-Day Critics of Liberalism"
Leiserson, "Notes on the Theory of Public Opinion Formation"
Cook and Moos, "The American Idea of International Interest"
Adams and Barile, "The Implementation of the Italian Constitution"
Fellman, "Constitutional Law in 1951-1952"
Düll, "The Japanese General Election of 1952"

December, 1952

Deener, "Judicial Review in Modern Constitutional Systems"
Pollock, "The Electoral System of the Federal Republic of Germany"
Duverger, "Public Opinion and Political Parties in France"
MacRae, "The Relations Between Roll Call Votes and Constituencies in the Massachusetts House of Representatives"
Hocking, "Problems of World Order"
Hartz, "The Whig Tradition in America and Europe"
Kort, "The Issue of a Science of Politics in Utilitarian Thought"
SSRC Interuniversity Summer Seminar, "Research in Political Behavior"

September, 1952

Leibholz, "The Federal Constitutional Court in Germany and the Southwest Case"
Pennock, "Responsiveness, Responsibility and Majority Rule"
Adrian, "Some General Characteristics of Nonpartisan Elections"
Eldersveld, "The Independent Vote"
Appleby, "Roosevelt's Third-Term Decision"
Davies, "Some Relations between Events and Attitudes"
Kohn, "Pan-Slavism and World War II"
Catlin, "Contemporary British Political Thought"
Miller, "A Selective Survey of Literature on Mongolia"

June, 1952

Dimock, Rossiter et al, "Goals for Political Science: A Discussion"
Kort, "The Qualifications of Aristotle's Theory of Revolution"
Pierce, "France Reopens the Constitutional Debate"
Steiner, "Recent Literature on Chinese Communist Party History"
Nicholas, "British General Election of 1951"
Milne, "Britain's Economic Planning Machinery"
Huitt, "Federal Regulation of the Uses of Natural Gas"
Carroll, "Recent German Publications and German Foreign Policy"
Cook and Moos, "Foreign Policy: The Realism of Idealism"
Hawley and Dexter, "Recent Political Science Research in American Universities"
Kallenbach, "Constitutional Limitations on Re-eligibility of National and State Chief Executives"
Latham, "The Group Basis of Politics"

March, 1952

Snider, "American County Government"
Fellman, "Constitutional Law in 1950-1951"
Mason, "American Individualism: Fact and Fiction"
Evans, "The Colombia-Peruvian Asylum Case"
Tucker, "Professor Morgenthau's Theory of Political 'Realism' "
Frenkel-Brunswik, "Interaction of Psychological and Sociological Factors in Political Behavior"
Ehrmann, "The French Peasant and Communism"

December, 1951

Fesler, Hartz, et al., "Goals for Political Science: A Discussion"
Kammerer, "Record of Congress in Committee Staffing"
Epstein, "British Labor Left and U. S. Foreign Policy"
Feely, "Analysis of Administrative Purpose"
Rice and Kappel, "Strategic Intelligence and Publication of Statistics"
Dishman, "Public Interest in Emergency Labor Disputes"
Bone, "New Party Associations in the West"
Hall, "An Open Letter Proposing a School of Cultural Legal Studies"
Pennock, "Political Science and Political Philosophy"
Odegard, "Variations on a Familiar Theme"
Kenyon, "Where Paine Went Wrong"

In the list of panel papers on pages 1237-38 of the December, 1953 issue of the REVIEW, incorrect titles were given for two papers. The correct titles are as follows:

Sherman, Harvey, "United States Technical Assistance in Public Administration."
Tickner, F. J., "The United Nations Programme of Technical Assistance in Public Administration."

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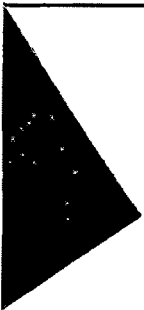


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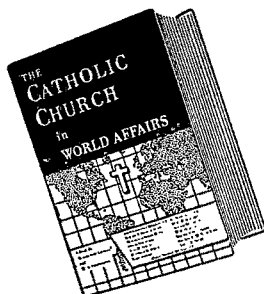
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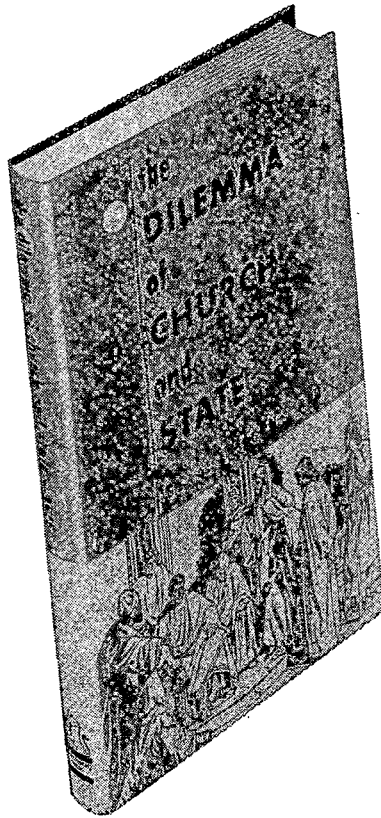
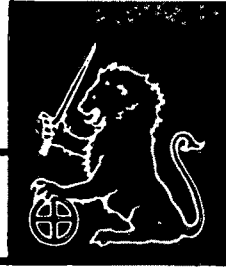
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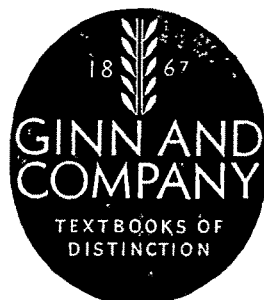
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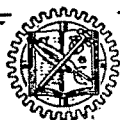
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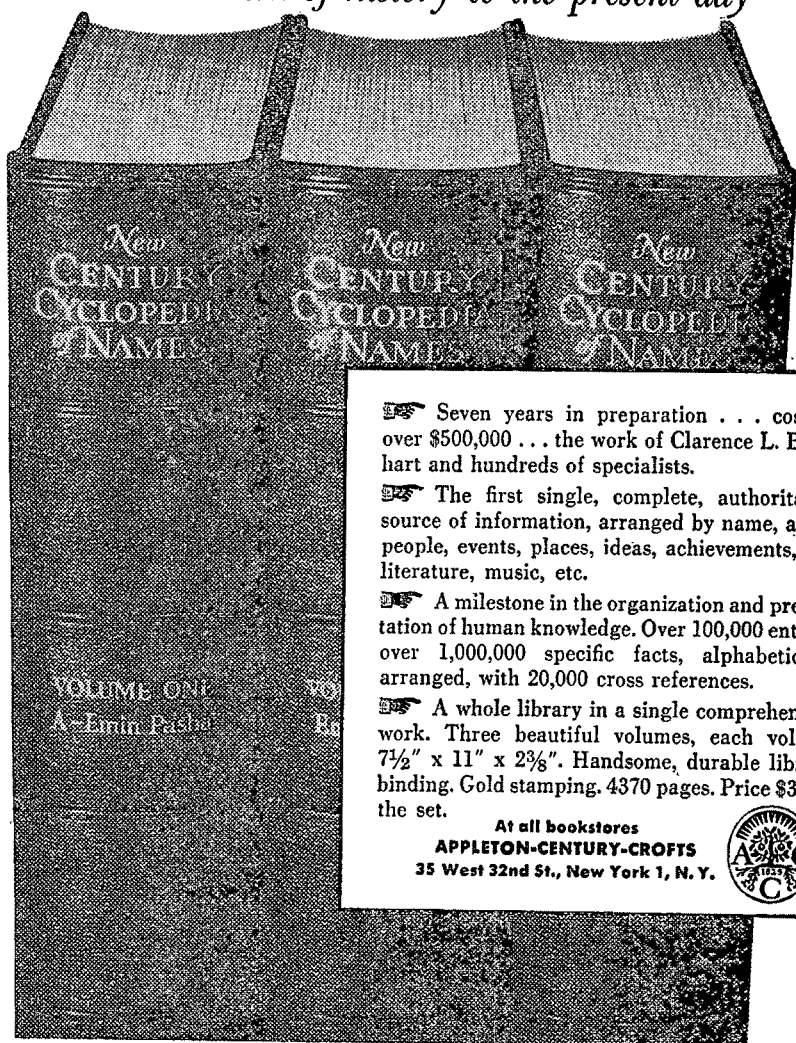
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PUBLIC OPINION AND THE INTELLECTUALS*

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University of Illinois

I

A study of the relation of intellectuals to public opinion suggests the outlines of a sociology of the intellectuals as a functioning social group. The *libertas philosophandi*¹ has long been asserted by the educated elite, and in pre-democratic days the theoretical relation to public opinion was quite clear. Philosophers have had the civil liberty to criticize government, but the same right was not generously extended to the vulgar conscience, or the common men who composed the "open public." Actually, the rise of democracy has not really clarified the issue, though the mass or Gnostic movements of modern times have asserted the right to judge the government, the intellectuals, and any other group that might stand in the way of political victory. The democratic intellectual can hardly say that the revolting mass does not have the right to judge him, but he can and does say that public opinion must be reformed, purified, educated, or directed by the latest in scientific hypothesis. More especially, however, the modern selfconscious intellectuals have directed their fire against other groups or elites who have a following and who in fact provide a pluralistic leadership of public opinion.²

Yet in this type of discussion, the intellectuals have seldom analyzed themselves as Julien Benda attempted to do in *La Trahison des Clercs*. In general, the intellectuals have raised the question of the conditions of culture and whether or to what extent the intellectual may offer his loyalty to it. And because the *libertas philosophandi* has so often involved

* This article is based on a lecture given at Emory University in the spring of 1953.

¹ Robert B. Sutton, "The Phrase *Libertas Philosophandi*," *Journal of the History of Ideas*, Vol. 14, pp. 310-16 (April, 1953).

² See, for example, José Ortega y Gasset, *The Revolt of the Masses*, trans. from the Spanish (New York, 1932). Or, in contrast, Julien Benda, *The Treason of the Intellectuals* [*La Trahison des Clercs*], trans. Richard Aldington (New York, 1928).

the assertion of revolutionary and highly negative judgments, the existing popular culture, so often permeated with Western religious ideas, has come in for harsh criticism. A moment of reflection will suggest that, on the contrary, the intellectuals should look in a scientific spirit at other groups whose traditional judgments do not agree with theirs. It is easy for the clerk to laugh satirically at the country bumpkin, who in a democracy may occupy the highest political post, but he might on occasion look at himself in all humility, without the arrogance that the possession of knowledge (not necessarily wisdom) so often induces. In any case, one of the issues of analysis in contemporary politics and culture is the examination of the intellectual; the creation, one might suggest, of an inwardly directed sociology of the intellectuals.³

In all honesty, the issue becomes finally one of philosophy. One must acquire a metaphysical focus before any such tension as that between public opinion and intellectuals can be fully understood. But in the discussion there is seldom a proper confrontation of issues, since less fundamental controversies and the praise and denunciation of personalities obscure what otherwise might be an enlightening area of discourse. In a basic sense, the issue is the liberal affirmation of various forms of empiricism against variations of theistic philosophy, or the struggle between the affirmations of scientific and religious interpretations of man.⁴ It becomes the conflict between the interpretation of "secular democracy" and some modern form of a sacral or religiously influenced society. However, this is only the fundamental form of the question, since the number of secularized ideologies is large and the number of morally and religiously influenced systems of ideas is also considerable in the diverse modern political structure of the West.⁵ For example, the contemporary struggle over the content of education surely involves the most fundamental of philosophical questions, but the battle is actually fought in a half-light, or with a spotlight illumination of personalities in a fog of personal recrimination and epithet.

³ Crane Brinton, "Something Went Wrong: Three Views of the Heritage of the Early Nineteenth Century," *Journal of the History of Ideas*, Vol. 14, pp. 457-62 (June, 1953), deals with this issue by being sharply critical of Peter Viereck, who had offered criticism of the contemporary intellectuals.

⁴ See J. Grimmond, "The Principles of Liberalism," *The Political Quarterly*, Vol. 14, pp. 236-42 (July-Sept., 1953).

⁵ Lord Acton in the nineteenth century was interested in counting the number of systems of thought which might be used to explain political movements in his time. Since Acton was attempting to reconcile British liberalism with his own religious ideas, he tended to blunt the conflict between liberalism as a secular system of thought and Christianity. See G. E. Fasnacht, *Acton's Political Philosophy* (New York, 1953), pp. 140-41.

II

Public opinion has been a subject of active discussion for more than a hundred years,⁶ though it is only recently that it has become a separate study in universities. And now students of public opinion have become experts in communication, propaganda analysis, polling, and political prediction. One might add that emphasis on polling, prediction, and propaganda has all but drained away the theoretical or philosophical content of the study of public opinion. The analysis of the media of mass communication, the study of public policy in relation to radio and television, and the emergence of "sykwar," or the military application of propaganda, is a singularly barren field for those who are in search of ideas, social concepts, or philosophy in general. Moreover, the intellectuals of our time, both in Europe and America, feel themselves isolated from systems of mass communication.⁷ They know little about it as a technical subject, and they have felt that the media suitable for a mass culture are unsuited for the expression of high humanistic values.

There is no standard way of defining public opinion. There are almost as many definitions as there are experts on the subject. There is no possibility in our time of a common statement of definition, but there are some common points of interest out of which most statements concerning it arise. The oldest and most important of these points is the ancient tension between those who rule and those who are ruled. Governors have had opinions about their subjects, but this has seldom been called public opinion. Subjects of a government have always had judgments about the deeds of their rulers, and this has commonly been called public opinion. Ever since the moral wisdom of man made its appearance in the great philosophical and religious literatures of the world, and ever since there has been some agreement on the moral code under which men live, there has been in elemental form some kind of public opinion. For it was possible with a moral code to approve or disapprove of the actions of rulers. It has not always been possible to do anything about what a government might do, and the victims of government generally are the least likely to leave a literary monument of their judgment. Intellectuals or clerks, let us say, have often surrounded rulers and they have taught the masses what they should think of their governors; these are the ones who have left records of what should be thought about a given political society. Yet the great sources of ancient

⁶ See William A. Mackinnon, *On the Rise, Progress and Present State of Public Opinion in Great Britain and Other Parts of the World*, 2d ed. (London, 1828).

⁷ See *Confluence*, Vol. 2, pp. 69-114 (March, 1953), for various articles on this problem.

wisdom or prudence have not always agreed that rulers were wise or beneficial, as one may find in the Confucian Classics, and among the philosophers of Greece.

Public opinion, then, is outside of government; it is outside of the circle of those who make decisions; it is opinion that moves from the outside in, from the great circle of functioning groups in society to the narrowing circle of those who finally make decisions about what government shall attempt to do. As public opinion, it is general and open. But this idea suggests something else. Are the opinions we keep locked in our hearts public opinion? Must not public opinion be something that people will talk about to their fellows? Tom Harrisson observed some years ago that public opinion is anything that people will say out loud; it is anything you will talk to anybody about.⁸ Private opinion may be the potential public opinion of tomorrow, since a wave of general talk may emerge on any question. But private opinion may never reach the out-loud stage, since the means of communication may be closed to it, and the leaders of a society may refuse to discuss the question in a formal way. One function of a leader in a democratic society is to keep the slums of the human mind private; it is to keep such opinions from becoming public. One of the things that makes a democracy work is the insistence that many subjects people might like to talk about openly must not become public issues; that is, they must not be talked about out loud. Such opinions must not become factors in public decision. But it is an equally important function of democratic leadership to see that certain issues, long dormant in private thought, come into the clear light of day for out-loud discussion and political decision. Some public opinion must be forced back into secret and private discussion, and some private opinions must be made public and a factor in democratic decision.

Now in a democracy we say, often without thinking very much about what it means, that the people rule. In truth, any form of government can stand for long periods so long as the subjects would rather live under the government than die resisting it. Revolution is more difficult than it was in the last century because of mass communication and fire power. But the old saying goes, for there are times when men can be driven by such desperation that even the strongest government can be overthrown, especially when there is the least faltering in the exercise of political and military power. However, in a democracy we are concerned with more peaceful political action; we think of the articulate

⁸ "What is Public Opinion?," *The Political Quarterly*, Vol. 11, pp. 374-83 (Oct.-Dec., 1940).

opinions of those who have some share in making public decisions as public opinion. We do not assume that all democratic citizens are very close to government, for always government is largely secret; and we do not assume that all decisions must be made finally by the people. We recognize, moreover, that in some areas the masses of the people have more power to make decisions than in others. In our democracy, we have a rather cumbersome way in which people can select some of the important rulers, but once these are elected they make their decisions with an eye to some future election, or with the avoidance of the penitentiary in mind.

Modern democracy has made more effort than any other system to connect the opinions of the citizens with governmental decision, but even so government is very remote from the ordinary man and his group life. One of the most impressive things about current democracy is that practically no effort is being made to make participation more effective than it has been. The great periods of democratic reform for us seem to be over. Public opinion has probably reached its highest point of influence in history. With the increase in the importance of foreign affairs in our political life, public opinion has no doubt less influence than before the emergence of the present world crisis. We think more today of efficiency in administration and calculation by the experts of international risks than of the opinions of those who pay their taxes, or who serve in the armed forces. As participants in government, the public is an organ of the state, but it is also a series of functional groups that talk about government openly and judge as effectively as they may in the light of the things they believe.

III

Let us turn to the intellectuals. First of all, we must keep in mind a distinction that is of profound significance. There is a difference between the intellectuals and intelligence. There is intelligence throughout society, and wherever it is it should be used in private lives and in the operation of government. Intellectuals in the European sense, that is, the intelligentsia, have a special kind of intelligence. They are functioning groups of society, like any of the professionals, such as lawyers, doctors, engineers, professors, journalists, and more recently the scientist of whatever kind he may be. Intellectuals as a group are characterized by specialized study and function; they have gathered information, and by the logic of their professional status they use such information to make judgments on the world around them. For long centuries they have sat in judgment on the popular mind, and here we

have an issue that was as important yesterday as it is today. The intellectual has often seemed to say: "You must forgive us if we seem a little proud, and if we feel that the power of organized society should be largely in our hands. You must forgive us if we disdain the ideas of the common man, because when the common man agrees with us we will like him. We want to remake him in our own image, if only to the extent that he is willing to accept our leadership when important questions of public policy are involved. We are not opposed to freedom, but we feel more capable than other men of defining freedom and justice."

Reflection on the rise of the modern Western intellectual class since the revival of the study of Roman Law in the twelfth century, the reintroduction of Greek or Aristotelian philosophy into the great European universities of the past, and the rise of medicine and theology as disciplines, may lead one to think there is more than a grain of truth in such a statement. Some intellectuals, like the theologians and the medical men, have generally had a large following among the "vulgar," as it was once stated. Others like the humanists with their knowledge of ancient tongues, and the philosophers who have rejected the religious beliefs of ordinary men, have been at war with society for nearly five hundred years. In our own time, the spectacular achievements of the scientists have separated them from ordinary people. The scientist has become the realization of "superman," and for the first time in American history the scientist as the aide of the military has been envisaged as the next possible destroyer of civilization, rather than its obedient servant.

The great symbolic intellectual figure, however, has been the philosopher, the lover of wisdom.⁹ This symbol has been forceful ever since the beginning of Greek speculative thought. It has found its most powerful exponent in Plato, and perhaps Pythagoras as well. True knowledge was a mystery that only the initiated might savor. Others sat unhappily in Plato's den, where only shadows of philosophical reality might be seen by those whose backs were always turned against the light of dialectical knowledge. Some years ago Walter Lippmann¹⁰ described public opinion as a set of stereotypes that partially informed men use to explain the world; the stereotype is like a shadowy picture in Plato's den; it does not include a proper range of information; it is distorted; it is merely a picture of the world, and not the reality and the truth of the world. Thus, every man who becomes in his heart an intellectual, that is, a philosopher of some kind or other, must make a

⁹ Cf. Eric Voegelin, *The New Science of Politics* (Chicago, 1952).

¹⁰ In his *Public Opinion* (New York, 1922).

great decision: he must decide whether the ordinary man sits in a cave with his back to the light. He must decide whether common opinion about the world is merely a set of stereotypes, or distorted idea forces. He must decide whether to sit in judgment on the world and all poor mortals who inhabit it. It is a profound and disturbing issue, and if one is a democrat, the issue is all the harder. To the aristocrat at heart there is no issue, because knowledge is something that only the few ever get.

And now we reach a striking paradox. The intellectuals who are most passionately for the earthly salvation and reform of men and institutions are those who least respect what may be called the traditional values of any long-standing or operating community. For, in truth, no existing society can be called a utopia, and never somehow do men escape from the frustrations of living, or the failure of their own characters to measure up to their philosophical potential. Such an intellectual Gnostic will say in a democratic society that man can be educated to greater awareness of what ought to be done to make society better; in other words, public opinion can by education be slowly recast and loyalty for the new, transfigured society can be created. But when the tradition-bound mortal refuses the new light, the intellectual in a democracy logically can only accept defeat and start over. In a totalitarian society, those who object may be put in concentration and slave-labor camps, and others can be driven by fear into silence in order that they may survive in a world where the "social" is the enemy. Meanwhile, those who run the slave-labor camps would say that they greatly love the people, that their eyes are upon a golden future, and that the pain of today is justified by the promise of tomorrow.

Against these intellectuals there are others who might be called conservatives.¹¹ Somehow they respect the tradition of a people; they are willing to believe with ordinary men in their religion, and in the wisdom that ancestral experience has fed into the minds of those who are not intellectuals. Likewise, they believe that values, that good and evil, may be demonstrated with logical and reasonable methods. Science is a fact, and none denies it, but justice and morality are also facts that live in more refined statement in the intellectual traditions of religions and nations. Moreover, these conservative intellectuals may say that they do not believe that a new society is immediately possible; they may say also that men are unfortunate or evil in their deeds, not because of a lack of knowledge, but because of a lack of character. Because, in short,

¹¹ See Russell Kirk, *The Conservative Mind* (Chicago, 1953); Peter Viereck, *Conservatism Revisited* (New York, 1949).

men are sinners. Perhaps there is more humility in such an intellectual, and there may be less of a lust for human and political power, or, let us say, less *superbia* and *pleonexia*. But these qualities are yet there, though it may be pride in the fact that men follow and love them. They may agree with St. Paul that the least of God's children may have as much moral wisdom as the philosopher; that the knowledge of the Christian, informed by his faith, may measure up against the secular and positivistic morality of an unfriendly world.

In the extreme, then, we have two great types of intellectuals in relation to common sentiment, or the public opinion of any society. The philosopher in the Greek sense, the lover of wisdom, and the Christian thinker may agree that all can share in the transcendental aims of the human soul. There is always a higher wisdom that ordinary men keep alive and share in, and sometimes induce others to accept as the proper standard of their behavior, both private and public. Plato would call the other type of intellectual the Sophist; he teaches success in life; he has few standards and is Machiavellian,¹² and though he may exploit tradition for purposes very much like propaganda, he has a profound contempt for the traditional morality of the society in which he works.

Let us try to state now more clearly the practical and philosophical issue for democracy. How can the functioning citizen of a democracy get along with the intellectuals? On the other hand, how can the intellectuals get along with the members of a democratic society? What kind of intellectuals and what kind of citizens work best with each other? Now one thing is clear. Ever since the founding of the great Western universities, one of their functions has been the training of public servants, the teachers in the schools, and members of professions like medicine and theology. In the history of Western governments, the transitions of society can be marked by the changing character of the intellectuals who have served the government. One can almost say, indeed, that the intellectuals, of whatever kind, formulate the policies of government in any detailed or specific sense, regardless of the form of government. But the lawyer trained in the Roman Law and the Common Law who became the adviser of modern absolute rulers was different from the clerk or the cleric who preceded him before the rise of these systems.¹³ Moreover, the techniques of the trained servant of govern-

¹² Cf. Max Lerner's introduction to the Modern Library edition of Machiavelli's *The Prince* and *The Discourses* (New York, 1940).

¹³ Christopher Saint-German's *The Doctor and Student* in 1518 may be regarded as a statement of the older position of the supremacy of the higher law, but the Student in the dialogues expresses many of the ideas of absolutism. See José Antonio Maravall, "La Formación de la Conciencia Estandamental en los Letrados," *Revista de Estudios Políticos*, No. 70, pp. 53-81 (July-Aug., 1953).

ment vary with different systems, but even in a democracy so much is secret that our own policies are often formulated and put into effect before there is any publicity. Immanuel Kant was facing this issue when he said that any policy of government might be accepted if it were compatible with publicity, and this was to him one of the transcendental pillars of freedom. In general, in a democracy the expert or the professional man is merely slowed down. With the idea of the career service becoming increasingly accepted by us, even a change in political regimes might not alter greatly the advice on particular policies that the President or the Congress receives.

Thus, the relation of public opinion and the intellectuals is not primarily a matter of the form of government, though one could hardly deny the importance of different systems of making political decisions. One can range a gamut from the Greek devices of popular participation, through the emergence of nineteenth-century democracy, and on to the corruption of traditional democratic devices in modern totalitarian systems. And it seems that the important issue is what kind of philosophy the intellectuals hold and what kind of traditional values the people believe in. Sometimes the intellectuals and the common man agree on basic propositions and sometimes they do not, though it is generally true that whether there is agreement or disagreement there is a difference between the statement of traditional belief and the manner in which the intellectuals argue their propositions. What kind of truth is sought? What reality is sought? What is involved here is not just a question of economic motivation, for all men, however they may reason, must have the necessities of life; it is not just a matter of psychoanalysis either, for men, whether intellectuals or not, have their frustrations and mental disturbances. In the end it becomes a question of values, or what kind of values should be reflected in the spirit and the policy of government. It is a question of how values are determined and sustained, and it is a question of what they are.

While the tension between intellectuals and ordinary people is always present, this tension, sometimes growing and sometimes in abeyance, has been peculiarly characteristic of the modern world. It began at the end of the middle ages or in the early Renaissance in the universities of northern Italy, and it has been the secular theory of intelligence that has increasingly dominated intellectual thought. It was not a new conflict, because it was present among the Greeks and the Romans, and, indeed, it may be found in any society that has left a literature for posterity. We sometimes call it humanism, sometimes liberalism, sometimes scientific thought; sometimes it is our modern historicism, and sometimes it is neo-Platonism as against the older medieval Aristoteli-

anism. But it meant in essence that the human mind at its educated best is autonomous, that reason gives men their own law, that the quest of reason is more the creation of standards of justice than finding a justice that already exists in some kind of moral order in the universe.¹⁴ Greek philosophy especially was a substitute for the great development of Christian philosophy.

In this development, which to some is the essence of modernity, there was an increasing separation between the intellectuals—that is, professors, philosophers, lawyers, and medical men—and the common man. The bridge between them had been a common Christian faith, but this was being slowly eroded away. Through many centuries one can find the intellectuals talking about the vulgar, the plebs, the unlettered, and there is in general a fear of what people in the mass can or will do. Many political philosophers, for example Jean Bodin, have considered the plebs violent and uncertain,¹⁵ something to be guarded against rather than obeyed. From the genial *Religio Medici* of Sir Thomas Browne we read that “Every man is not a proper Champion for Truth, nor fit to take up the Gauntlet in the cause of Verity.”¹⁶ To the intellectual, whether he was a lawyer, a Catholic, a Puritan, a Lutheran, or what not, the common people were an uncertain lot, filled with superstition and unlearned, and storm was always latent behind the façades of peace. But this is also true: whenever the lettered and the learned saw that the people disagreed with them, the people were wrong. The intellectual aristocrat was always right. The common man was always wrong. This proposition has not changed through modern history, though the character of philosophy and the dominant types of intellectual effort have changed, and changed fairly frequently if one takes in a broad enough sweep of event.

Intellectuals have always been divided, of course, for by their nature one intellectual must be critical of another, this being one of the aspects of the autonomous reason, the reason emancipated from all standards save those that are self-imposed. We are concerned here, however, with the dominant form of intellectual life which sought to serve the state, and to share in the training of its civil servants. First, we may observe a shifting from Christian values to Greek philosophy, to both Plato and Aristotle, and to such of the learning of the ancient world as was available. It was literary and philosophical study independent of the

¹⁴ See C. N. R. McCoy, “The Turning Point in Political Philosophy,” this REVIEW, Vol. 44, pp. 678-88 (Sept., 1950).

¹⁵ Jean Bodin, *Method for the Easy Comprehension of History*, trans. Beatrice Reynolds (New York, 1945), *passim*.

¹⁶ Modern Library edition (New York, 1943), p. 327.

Christian order that was at stake. The great values of the past, shared, indeed, with all men, were to be proved in a different way. But soon the values themselves came into question, and the revolutionary intellectual, who believed he might reshape the world around him, began to make his appearance. From the time of the development of science, the materialistic and empirical attitude of mind became stronger, and values could be proved, if at all, only by a scientific method. Finally, in the nineteenth century the social scientists began to think of values as not being provable at all, or else to be proved in a utilitarian or quantitative fashion. But the intellectual was rapidly getting to the point where, in social life, he could believe hardly anything. Values, the judgment of men and nations as in the past, were simply a relative phase of culture. From Christian and humanistic learning we moved toward a scientific treatment of what most men thought. It was possible, so it seemed, that we were approaching ethics and politics simply as a subdivision of a kind of descriptive anthropology.¹⁷

IV

If one seeks the fundamental cleavage between different types of intellectuals, it is no easy quest. It has been stated in various ways by many who have sought the fundamental issues of philosophy. But if one keeps in mind the relation of men to a human order, the issue may be stated like this: Is there such a thing as a transcendent order, or is all reality, including social and private experience, immanent? Is reality only the here and now? Is this the only divinity that men can know, and can it be discovered only by some application of what may be called positivism in social science? The predominant Greek philosophy that has survived as the core of many centuries of liberal education asserted the existence of a transcendent order, and so did Christian thought, whether based on Plato or Aristotle, or on a more direct examination of the implications of the Bible and Church tradition. The soul of man was open to something more than empirical data. Thus, Greek and Christian thought were looking for a spiritual reality transcendent to all men, whether they were among the learned or the vulgar. In more recent times, it is precisely the denial of such an order that has made up much of modern epistemology and metaphysics. Indeed, it has been the effort of many intellectuals to deny metaphysics by denying the existence of the spiritual and the transcendent. And it has been precisely

¹⁷ Contemporary American philosophy, especially Pragmatism and Positivism, may illustrate this point. There is much valuable material on this issue in H. W. Schneider, *A History of American Philosophy* (New York, 1946), Ch. 39.

this denial that has caused much of the conflict between the intellectuals and the democratic citizen.

It is said that Plato's God was always busy with geometry; and that, according to some scholars,¹⁸ is a peculiarly aristocratic and snobbish idea of science. It was a science beyond the comprehension of ordinary men; it was beyond the possibility of their participation in it. One may say, naturally, that Plato failed as a statesman or as advisor to kings and tyrants, but that in his *Laws* he seems to be trying to construct a society that would raise men to the highest level of which they are capable, and that in truth it was to a level very far from any modern idea of democracy. The dialectic that the rulers were to study in the *Republic* was only for a few, who in turn could direct the rest of society with wisdom. Here was a transcendental order clearly anti-democratic in implication. However, in Aristotle, both in the *Ethics* and in the *Politics*, the conservative mind comes closer to ordinary human habit, and there is a much more generous attitude toward what common people may think. They may still be directed by philosophers who have in mind a transcendent order, but the ordinary man participates in virtue. Moreover, the collective judgment of men is praised in Aristotle as a good standard for political behavior. One feels that the criticism of the city state in its time of decay was much milder in Aristotle than in Plato, even though Aristotle held that some men were slaves in their nature. On the other hand, Aristotle's praise of the common judgment was stated in the light of higher rational standards that were drawn from a knowledge of the purposes of nature. And some have gone so far as to assert that Aristotle had a profound influence even on the Stoic ideas of the natural equality of men. These points are emphasized because it seems that the path of reconciliation between the learned and the vulgar is the common acceptance of a transcendent order. This order may be known more intimately by those who are philosophers, but it is shared in and known to some extent by the education of all men in the habits of virtuous living. In this situation reason and faith have a common and supplemental function, and faith does not become the object of derision by those who have stressed the unlimited creativeness and autonomy of the educated reason. But it is also clear that there is a great dualism in human existence, for all men are existentially in both an immanent and a transcendent order, and the higher objectives of the transcendental are never to be realized in their fullness in that which is immanent and directly social.

¹⁸ See Benjamin Farrington, *Science and Politics in the Ancient World* (New York, 1939); Alban D. Winspear, *The Genesis of Plato's Thought* (New York, 1940).

It may seem paradoxical, but the intellectual who accepts a transcendental order that is above all men can be more easily reconciled to democracy and the forces of public opinion than one who does not. Such a view stands in criticism of much of the current theory of democracy. For in the intellectually predominant view of the present, democracy is almost incompatible with any standards that philosophy and religion may propose.¹⁹ It is asserted by some that only a philosophy of pragmatism is compatible with democracy. In other words, democracy must be based on something like William James' radical empiricism, or the instrumentalism of John Dewey. Or, one might say that because no standard of human justice can be proved, the only standard is that which is approved by some majoritarian procedure.

If this proposition states the current situation, it must arise from some qualities within the intellectual himself; it must be a kind of existential statement of the tensions of his life. In a direct sense, the answer may be found in the attitude of the intellectual toward political power. Those who deny a transcendental realization must attain whatever objectives they have in mind in the organization of society, and this primarily through the force of the state. Thus, they are driven to seek power, or sometimes in futility to deride it. On the other hand, those who, like Boethius, seek the consolation of philosophy, may speak of the vanity of the world. The order of wisdom is both here and beyond, and knowledge can be its own reward and spiritual consolation. Such an intellectual's primary activities are teaching and writing, so that the *artes liberales* will become the proud possession of the coming generation. He is happiest when he is directing a school, the Lyceum or the Academy in Athens, or perhaps the cathedral schools that preceded the foundation of the Western universities. What he asks is freedom from the ruler, not freedom to direct the government.

One is driven, therefore, to the conclusion that the intellectual who rejects the higher order of human experience is existentially a seeker of power. The free commitment of his will may be to him a painful experience, but in the end he has tried to remake the world; that is, historically, he has sought to be the servant and the advisor of kings. His writings, like those of Pierre DuBois or Marsilius of Padua in the fourteenth century, become the manifestoes of the new and planned society. From the time of the rise of science and the troubles of the Reformation and Counter-Reformation, the idea of a utopia has been congenial to such intellectuals. From the eighteenth century to our time there has always been an intellectually-led political revolution in the

¹⁹ See Karl Pribram, *Conflicting Patterns of Thought* (Washington, 1949).

making. The Tudor humanist, for example, might stress obedience to the king,²⁰ but he was also a dreamer of the kind of society that autonomous human knowledge might make. Humanism was far more committed to the historic belief in a divine order than was the intellectualism of the eighteenth century, but the humanist was trying to be a philosopher and a bureaucrat. Consider, for example, the controversy over the objectives of Thomas More in his *Utopia*. Some have said that he was merely justifying English imperialism, but most students have said either that he was trying to reform society or that he was deriding the possibility of any reform. More was a great servant of the king, and he finally died as a martyr for his religious faith. But in the *Utopia* he seems to be struggling with the problem of personal power.²¹ Should he seek power in order to reform the world, or should he say that the injustice of the world could not be cured, owing to the corruption of men and government? Latterly, some have said that More was really arguing with himself as to whether he should be a lover of wisdom and the liberal arts or seek to reshape society nearer to the heart's desire. There is no question here of what the people may want, for the philosopher is able to say what justice is and what is proper for the people. But as a bureaucrat he would surely be at war with common opinion.

If we consider the seventeenth century, the picture is more clear. The ideal of science has dawned, and the literary humanism of a previous time is being pushed aside or into a darkened background where it has been ever since. Men seek now to wrest away the secrets of nature through mathematics, and through new methods that are scientific. They would, like Francis Bacon, another servant of the throne and author of the first scientific utopia, the *New Atlantis*, develop a new technology and create a kingdom governed by scientists who are continually engaged in scientific experimentation. But it is the government of a society that is at stake; it is science and politics hand in hand, and there is no room for the traditions and values of ordinary men who might turn away from the chilly efficiency of the new technology. When you do not believe in the traditional religious and humanistic values, as a modern you believe in science. And when you believe that the methods of natural and physical science can be applied to the social relations of people, you must turn to the state, for the state is the means whereby the new objectives can be attained. Likewise, one does not bother with ideas of natural rights and limitations on power when the

²⁰ See Irving Ribner, "Sir Philip Sidney on Civil Insurrection," *Journal of the History of Ideas*, Vol. 13, pp. 257-65 (April, 1952).

²¹ See Eric Voegelin, "More's Utopia," *Österreichische Zeitschrift für Öffentliches Recht*, Band III, Heft 4.

state becomes the chief agency for the attainment of scientific results, whether those results are simple technology or the creation of a new social theory, as Robert Owen proposed.

V

At this point a digression into the history of political ideas is appropriate. With the beginning of the seventeenth century, certain major and traditional views in politics had emerged. There were the Calvinists, the Lutherans, the Anglicans, the Catholics, the minor and dissenting religious sects, and there were those who against all other traditions sustained the authority of the state and who were the proponents of various doctrines of sovereignty. It is clear, of course, that all of these views were internally divided, but each one took a position on the central issue of time: the relation of religion and politics. One can generalize as follows: those who supported a religious tradition, especially when it was on the defensive, were likely to be exponents of the consent of the governed, tyrannicide, and the power of the traditional estates or parliaments of the realm. They were more inclined than the defenders of sovereignty to seek the support of the general population. On the other hand, it was a time of the emergence of the modern conception of the authority of the state, modelled not a little on the authority of the Roman Empire and the Civil Law which had been used as a support for imperial power. Those who asserted the sovereignty of the monarch were not interested in what the people thought, but only in their obedience to the law. The doctrine of sovereignty was a kind of civil theology that was to take the place of the various Christian theologies which struggled against each other in Western Europe. Under the Tudors and the Stuarts, English official doctrine might be moving toward the assertion of the divine right of kings as the civil theology of Anglicanism, and Lutheranism had similar though not so well stated doctrines. But the divine right of kings was simply a passing phase of the argument. It is not the argument upon which the power of the modern state was built.

The question involved here is the function of intellectuals in relation to what might be called the general currents of popular opinion. It is clear that the religious traditions appealed with success to the citizen body, otherwise the religious wars would not have been fought, kings would not have been assassinated, and general and violent repression of religious dissent would not have been possible. To be brief, the secular, empirical, and scientific intellectuals were on the side of political authority, and to them a strong monarchy became all too often a sym-

bol of the denial of the power of the people. The intellectuals framed the new theory of power. Though the lawyers had long used the model of the Roman Emperor in the analysis of kingly power, the secular mind used the new mathematical and scientific theories to justify the supremacy of the state over all dissent. In other words, much of the political theory of the time that now finds itself ensconced in the standard treatises is a defense of political power. The lawyers, the humanists, the poets, the philosophers, and the writers of systematic works in political analysis were generally on the side of sovereignty. One should not underestimate the force of protest, the defense of consent, and the emergent theory of constitutional liberty. But down to the eve of the French Revolution the *philosophes* were often supporters of the monarchy and they were contemptuous of the ideas of the ordinary citizen. Ignorance, faction, and sedition comprised the treadmill of the common man. The idea of the centralized and powerful state was rationalized by the intellectuals; it is a lasting, but perhaps unhappy, contribution to the history of modern times.

In no small degree Machiavelli became the symbol of the organized power of the state, though he was denounced often by those who used him most. Sir Thomas Browne said of him: "I confess that every county hath its Machiavel, every age its Lucian, whereof common Heads must not hear, nor more advanced Judgments too rashly venture on: it is the Rhetorik of Satan and may pervert a loose or prejudicate belief."²² In contrast, Francis Bacon, one of the great apostles of scientific method, and who was slightly senior to Browne, read avidly the Italian historians such as Paolo Sarpi, and he said: "We are much beholden to Machiavel and others that wrote what men do, and not what they ought to do."²³ Here is an essential credo of the new science of national power; here is the principle that description and not values forms the core of the effort of the student of politics. The people must be managed and prevented from organizing so that discontent can never be a force on government. Thomas Hobbes, on the other hand, had few reservations as to the action of a totalitarian state. Not only must the common people be told what to think; the preacher and the professor must be dealt with in the firmest way. But Hobbes tried his hand at theology, and he rather fancied himself as a theologian. He reduced obedience to God to obedience to the theology that was incorporated into the civil statutes of the realm. Anyone who resisted the prince or the government was not only violating a civil law and worthy of condign punishment, but was also a rebel against his God. Moreover, the sovereign could command what-

²² *Religio Medici*, Modern Library edition (New York, 1943), p. 344.

²³ *The Essays of Francis Bacon*, ed. M. A. Scott (New York, 1908), LXXX.

ever he could get away with. Religion was thus reduced to a necessary annoyance; at best it was a department of government, as under the peculiar English system. Behind Hobbes' religious ideas, moreover, was a materialistic and utilitarian philosophy that in effect left no room for natural or divine law, for under Hobbes' covenant of death each individual had conceded all to the sovereign power of the state.

Fortunately for England, the long decades of disturbance and revolution ended, and a man like Locke could take many of the same philosophical ideas and create a moderate political philosophy that even led in the direction of religious toleration. And that great skeptic Hume, like William James, insisted that we must believe, but always under a powerful government that did not allow for the religious assertiveness of other days.²⁴ In both Locke and Hume, the ideas of the common man get a hearing, and the stabilized custom, tradition, and public opinion of a nation may be considered in the calculations of public policy. But one of the great sources of modern liberty is the insistence on a genuine religious liberty, and though Locke moved far in that direction—farther than Milton—religious freedom was not a fact of political life. For example, Spinoza is cited for his defense of intellectual freedom, but it was the freedom of the philosopher that he defended. Spinoza's comments on religious liberty are often omitted from the books giving selections from his works. In his *Tractatus Theologico-Politicus* he argues in Chapter XIX that the right over matters spiritual lies wholly with the sovereign, and that the outward form of religion should be in accordance with public peace, if we would obey God aright. This is Hobbes all over again—the sharp Erastianism, or state supremacy over religion, that was characteristic of the critical and intellectual mind of the time. Some, like Giambattista Vico in his *New Science*, might argue that in the custom of nations the right of the common man to share in society is an embodiment of the natural law, but Vico was a forgotten figure in his Neapolitan isolation until almost the beginning of the nineteenth century.

With these ideas in mind, some comment must be made on the modern age of revolutions that began with the French Revolution. The philosophers of France in the eighteenth century played a large role in bringing about the revolution, for the intellectual origins of the French Revolution are among the most important, as Daniel Mornet has argued in his study of the subject.²⁵ The intellectuals, such as Rousseau, provided

²⁴ J. B. Shouse, "David Hume and William James: A Comparison," *Journal of the History of Ideas*, Vol. 13, pp. 514-27 (Oct., 1952).

²⁵ See Daniel Mornet, *Les Origines Intellectuelles de la Révolution Française* (Paris, 1933), *passim*.

the ideas that a Robespierre might use, even to the establishment of the worship of reason. Ever since the eighteenth century the battle over political ideology has centered on the philosophy of the French Revolution. A liberal must believe in it, and a conservative cannot. Burke and Wellington stand against Sieyès and Napoleon, and their successors adopt similar intellectual and ideological postures. The revolutionist would destroy the things the people love in the name of the people; the conservative would preserve the things the people love in the name of duty. But the participants in ideological battle may be consoled by Alexis de Tocqueville, who believed that the French Revolution had already occurred before 1789, and that the institutions of France had long since undergone a deep-seated remodelling.

The philosophical battle over the French Revolution and its successor revolutions is different in at least one respect from the present struggle over the Russian Revolution. Those who accepted the French Revolution and those who rejected it believed that values in social life could be demonstrated or proved. Values such as justice, liberty, natural rights, were accepted by both sides; Burke and Thomas Paine were trying to prove the same thing, but with widely variant theories of how to prove them. But since then values have tended to become myths and power has tended to become technique in the atheistic humanism of the nineteenth century, as in the thought of Feuerbach, Comte, and Nietzsche. Against the relativist and pragmatic democratic intellectual, the Marxian, the supporter of the Russian regime and its expansion, insists he has a scientific answer to everything. And in the cold light of the all-encompassing ideal of science, it is hard for the intellectual to say why the values of democracy can stand against dialectical materialism. To say, as some of the followers of John Dewey have done, that group experience, the dominance of the group, will give us answers, is surely futile, when the processes of group interaction produce the irreconcilable conflicts of modern times. C. Wright Mills in his recent book *White Collar* has suggested that to many intellectuals the revolution has become vulgar and the system of democratic society is accepted in a purely mechanical manner. To resist the new revolution, there must be an alternative faith. While we have many enthusiasts for revolution like Richard Price among us, there are few of the insight of Edmund Burke.

VI

But common men still believe in many things. They are largely theistic and opposed to the secular intellectual whenever they understand what the clamor of wordy battle is all about. If the common herd,

as Browne said, follows the intellectual you may have a revolution to remake society; but if the functioning citizen distrusts the intellectual leaders of important segments of society, the progress of society may be retarded, and retarded sharply in battle concerning values that are as old as the struggles between Plato and the Sophists. In a democratic society where there is a free communication of ideas and free elections, the people can at least make some sort of effective choice of what is offered them by those who edit the pharmacopoeia of the better world.

What then do the intellectuals promise? They promise a secular democracy, in which somehow spiritual values must take care of themselves. It is said that with psychology, the frustrations of the common man can be removed; with engineering and science, we can produce more worldly goods than he can consume; with economics, we can give assurance of a stable economy and high wages; with proper government policies, there can be liberty and security, and the lasting peace that poet and saint have so long prophesied. Art can be made popular and it can be appreciated; there will be plenty of novels to read, and entertainment will not lack. The great revolution, it is sometimes said, has already come and is behind us. The new frontiers of welfare beckon. But in all this there is another note: public opinion must be obedient; it must follow, and not be recalcitrant. Men must select the proper leaders and then not criticize them. It is surely uncertain whether the democratic citizen of our time is going to accept this prescription and such a leadership. It is not certain that he has accepted the secular democracy.

THE CONGRESSIONAL COMMITTEE: A CASE STUDY*

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"Congressional government is Committee government" said Woodrow Wilson in 1884,¹ and political scientists since that day have seen no reason to disagree with him. It would be reasonable to suppose then that once committees ceased to meet secretly (as they did when Wilson wrote) and began to keep verbatim public records of their proceedings, the committee process would be subjected to relentless and systematic study. Such has not been the case. The frequency with which Wilson is quoted is as much a reflection of a lack of substantive research by later students as it is a tribute to his intuitive insights.

It would not be hard to make a case for close and continuous study of congressional committees. On every count, they would seem to hold as much interest for the student of politics as administrative bodies or the courts, upon which so much more attention has been lavished. They are decision-making agencies of crucial importance; it is a commonplace that they hold life-or-death power over legislation. Again, they provide a point of focus for the political process; they are "miniature legislatures," "microcosms" of their parent bodies²—not in the sense that they epitomize the larger houses, but rather that the committees are subject to the same influences and power drives, which are easier to intercept and analyze here than in the larger and more complex houses themselves.

A third reason for studying the committee is less obvious but no less important. Each house of Congress is a human group, with leadership, a hierarchy of influence, and a set of norms which control, more or less, the behavior of its members. The man who goes to Congress joins a going concern. He accepts and shares a group life.³ One factor in any decision he makes is the influence on him of his house as an institutionalized group. But the group life of the congressman is exceedingly complex. Like other men he is a member of many groups, with any one of which he might identify in a particular situation; but unlike most other men he is a *representative*, under obligation consciously and deliberately to take into account the wishes of the groups which support him. As we have said, he is part of the status pattern in his legislative house, in which both formal and informal leadership patterns impose obligations and afford access to power. His success as a professional legislator depends to a large extent upon his conforming with the group norms of his colleagues. But congressmen, too, follow the election returns; prestige and influence in the internal system of the legislature are responsive to success in meeting external demands upon the member. In these respects, to be sure, the group life of a

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¹ Woodrow Wilson, *Congressional Government*, preface to 1884 edition.

² George B. Galloway, *Congress at the Crossroads* (New York, 1946), p. 53.

³ See David B. Truman, *The Governmental Process* (New York, 1951), pp. 343-46.

legislative body is not different in kind from that of those small groups which have been studied with impressive results.⁴ But it certainly is more complex and its members are more sophisticated. Consequently, it presents more formidable problems than do simpler groups.

A study of the group life of Congress might well begin with the standing committee. It is a small group, susceptible in most of its operations to close observation. Because its membership is relatively stable, its leaders men of long committee tenure, it has a continuous group life of its own. One factor in that group life, of course, is the pressure from the house whose creature it is, but the committee is worth studying as a human group in its own right. Furthermore, there is the attractive possibility that techniques so developed will be useful in the more difficult undertaking with the larger group of which it is a part. And it is relatively accessible to research: most of its hearings are open to the public and an adequate record is kept. The public hearing is only a part of the activity of a committee, but it is an important and often revealing part.

The standing committee then is a promising group with which to begin a study of the behavior of congressmen in the legislative struggle for at least four reasons. One is the greater *frequency of interaction* of individual congressmen in committees than on the floor of their house. On the floor a congressman may speak seldom, and on a particular issue may confine himself to a single prepared speech. But in a committee in which he is active he talks many times and with less formality. A second reason is that in the committee hearings a group of congressmen are subject to *common stimuli*. They hear the same witnesses and react to the same comments. The third is that the committee is a group of *manageable size* for intensive study. It is possible to observe it closely, and its members are few enough that roles can be kept straight and relationships plotted. A fourth is that it has, within limits, a *continuous life*. Its membership changes, but members are encouraged by the seniority principle to stay on a committee. And the change of membership is never complete and seldom drastic at one time; group norms can easily be transmitted to new members. Thus the committee is a subgroup of its house which is itself a going concern.

I. SOME HYPOTHESES ABOUT THE COMMITTEE

We are not without generalizations about the roles that committees—and inferentially committee members—play in the legislative process. The general literature on legislation and the political process furnishes several which might serve as hypotheses for further testing. One of the most tenacious of the basic concepts has the committee discovering, protecting, and advancing the general interest out of the welter of special interests contending for support. As Professor Chamberlain puts it: "The committee itself must be the guardian of the general public interest, too large and too vague to be organized. What is in

⁴ See especially George C. Homans, *The Human Group* (New York, 1950), in which five distinguished studies in social behavior are examined in detail to develop both an organic theory of the human group and a system of analysis for further study of the group.

the general interest is for the committee to determine, after hearing advocates of the special interests who appear before it."⁵ After giving a number of examples of committee actions, he asserts that "the committee played principally the part of a *legislative court*, listening to the evidence of fact and law brought before it by interested parties, considering their suggestions . . .", then deciding what should be done.⁶

This notion of the committee's function perhaps is accepted implicitly in the recent emphasis on the committee's role as a *fact-finding agency*. Political scientists, and some congressmen, have insisted that committees need professional staff with secure tenure, capable of serving either party with equal competence.⁷ To insure the non-partisan and objective character of their service, some have urged a legislative career service, perhaps with staff members to be drawn from a pool, with a professional personnel director in charge of recruitment. The argument is that the professional staff could get objective facts for the committee, thus ending the committee's dependence upon the selected facts of lobbyists and the not disinterested experts borrowed from the bureaus.

A second function, not unlike the first, is that of providing, through its public hearings, an open *public forum*.⁸ The special interests still vie with each other, the general interest still must emerge from their clamor, but the stage is heightened, and a larger audience participates in the decision.

A somewhat different set of generalizations—or hypotheses—rests upon the conception of the legislative process as simply one phase of the political struggle, in which contending groups seek access to governmental power at a number of points, the legislative committee being one.⁹ The committee members are not judges, discovering the general interest; they are themselves participants in the political struggle, as indeed are all other governmental officials. No one

⁵ Joseph P. Chamberlain, *Legislative Processes: National and State* (New York, 1936), p. 79.

⁶ *Ibid.*, pp. 72-73. Emphasis added.

⁷ *The Reorganization of Congress*, A Report of the Committee on Congress of the American Political Science Association (Washington, D.C., 1945), p. 79; Galloway, *Congress at the Crossroads*, pp. 158-61; Ernest S. Griffith, *Congress: Its Contemporary Role* (New York, 1951), pp. 70-75; Estes Kefauver and Jack Levin, *A Twentieth Century Congress* (New York, 1947), pp. 167-68; *Organization of the Congress*, Report of the Joint Committee on the Organization of Congress, pursuant to H. Con. Res. 18, H. Rep. No. 1675, 79th Cong., 2d sess., pp. 9-11; and Report from the Special Committee on the Organization of Congress, Sen. Rep. No. 1400, 79th Cong., 2d sess., pp. 21-24. See also the frequent recommendations of this nature in *Organization of Congress*, Hearings before the Joint Committee on the Organization of Congress, pursuant to H. Con. Res. 18, 79th Cong., 2d sess.; *Legislative Reorganization Act of 1946*, Hearings before the Committee on Expenditures in the Executive Departments, U.S. Senate, 80th Cong., 2d sess.; *Organization and Operation of Congress*, Hearings before the Committee on Expenditures in the Executive Departments, U.S. Senate, 82d Cong., 1st sess.

⁸ Chamberlain, p. 64.

⁹ See especially Arthur F. Bentley, *The Process of Government* (Bloomington, Ind., 1949), first published in 1908; Truman, *The Governmental Process* (cited in note 3); and Bertram M. Gross, *The Legislative Struggle* (New York, 1953). The latter devotes three chapters (14-16) to a realistic description of the operations of congressional committees.

knows what the "general interest" is; there is none in which everyone shares. Public policy emerges from the pull and haul of groups, and the whole thing is kept from flying to pieces because overlapping memberships in groups prevent the perfect mobilization of any interest. In this frame of reference Professor Truman sees the committee using its public hearing for three purposes.¹⁰ The first, and probably least important, is that of "*transmitting information*, both technical and political, from various actual and potential interest groups to the committee." The second use is as "*a propaganda channel* through which a public may be extended and its segments partially consolidated or reinforced." Thus the public forum is provided but the committee is not neutral; what is presented is not so much a fair debate as a set piece. The third use is to provide a *catharsis* for frustrations and grievances, "a quasi-ritualistic means of adjusting group conflicts and relieving disturbances through a safety-valve."

This is not, of course, an all-inclusive list of the general propositions about the roles of congressional committees, nor is it suggested that these propositions are mutually exclusive. But they are useful hypotheses for empirical research. The purpose of this study is to see how well these generalizations explain what took place in a series of public hearings before a particular committee on a given issue. The hearings chosen for a case study are those held before the Senate Committee on Banking and Currency in the Spring of 1946 on the question whether the price control and stabilization program of 1942 should be continued, and if so, whether and what changes should be made in it.¹¹ No claim is made that these are "typical hearings," from which valid generalizations about all committee hearings can be made. No doubt there are numerous "types." But there are several reasons why these hearings are selected for the purposes of this study. (1) The problem is intensely political, i.e., many powerful groups have a stake in the issue and are prepared to make strong efforts to influence the outcome. (2) It is a problem which involves the "general interest"; everybody in the country will be affected in some degree by the outcome. (3) Facts would seem to have some relevance in arriving at the policy decision. There are huge quantities of data available and there are substantial bodies of politico-economic theory to which they can be related. (4) This is not a new problem. It has a history in the three years of administration of public policy in a war economy and nearly a year in a peacetime economy. It is the kind of problem, therefore, which should bring into play all the elements necessary to test the generalizations about committee behavior which we have stated.

The limitations of this kind of study are obvious. It is limited to the public hearings, although much that is important, and perhaps what is decisive, takes place elsewhere. Moreover, it is limited to the printed record of those hearings, where only what is said can be found, and that subject to editing. Inferences therefore must be made from behavior which is recorded incompletely, and per-

¹⁰ *The Governmental Process*, pp. 372-77. Emphasis added.

¹¹ *1946 Extension of the Emergency Price Control and Stabilization Acts of 1942, As Amended*, Hearings before the Committee on Banking and Currency, U.S. Senate, 79th Cong., 2d sess., on S. 2028. Cited hereafter as *Hearings*.

haps inaccurately. The principal defense of a study thus restricted lies in the fact that it is made with materials which are available in profusion to the kind of people who will make most of the studies of legislative behavior. Few academic persons have data-gathering organizations at their disposal, or freedom for continuous participant-observer research. But the printed record is within the reach of the most modest seminar, making possible endless repetition and refinement. Furthermore, hypotheses which are formulated in crude studies may be used to guide studies which can employ more precise procedures.

II. ROLES OF COMMITTEE MEMBERS

From even a casual reading of the record it would seem that these generalizations may be extended and refined by focusing on the behavior of individual members of the committee. A multiplicity of roles are played by various members, and sometimes by a single member. The status *committee chairman*, for example, can be described by formal and informal powers attributed to that status. But the human chairman is a man in space and time, interacting with other men. More than that, the human chairman occupies more than one status. He is a committee chairman, but he is also a representative of a district, and a member of a complex of groups which make claims upon him and with which he identifies from time to time. And not even the status chairman can be simply defined: at one moment the status is that of the fair presiding officer, under a moral obligation to treat all interested groups fairly; at another moment it may be that of the party leader with a commitment to a program; and again it may be that of a champion of the clientele his committee serves. The role the human chairman will play, his behavior itself, will depend upon many things: upon the constituency, sectional, and party interests in the issue; upon the size of his majority and his hold over it; upon the power and popularity and party of the man in the White House.

The concepts *status* and *role* which we are using here are neither novel nor very complicated. They are used in the sense that Professor Linton uses them in his *The Cultural Background of Personality*.¹² Every culture, no matter how simple, is organized into a number of systems which relate the individual to his culture, among the most important being those of age-sex, family, occupation, and association groups. In a complex society with a high degree of division of labor such as our own, these systems are multifold and overlapping. "The place in a particular system which a certain individual occupies at a particular time" is referred to by Linton as "his *status* with respect to that system." The term *role* he uses "to designate the sum total of the culture patterns associated with a particular status. It thus includes the attitudes, values, and behavior ascribed by the society to any and all persons occupying this status. It can even be extended to include the legitimate expectations of such persons with respect to the behavior toward them of persons in other statuses within the same system. . . . In so far as it represents overt behavior, a role is

¹² Ralph Linton, *The Cultural Background of Personality* (New York, 1945), pp. 76-77.

the dynamic aspect of a status: what the individual has to do in order to validate his occupation of the status." A role thus is defined by what other people expect of the person filling it. Behavior consists of what the person actually does in filling the role. An individual congressman may occupy a number of statuses: he is a middle-aged man, a father, a congressman, a Democrat, a member of the Ways and Means Committee third in seniority, and so on. In each of these statuses he has learned to play certain roles, and to expect other people to play certain roles. He cannot play all these roles simultaneously, of course; "although he occupies statuses and knows roles at all times, he operates sometimes in terms of one status and its role, sometimes in those of another." The congressional role probably is most usefully conceived not as a single role but as a multiplicity of roles, defined for the congressman by the varying expectations of the groups which he represents or with which he identifies. These roles may be and frequently are conflicting, requiring the individual congressman temporarily to abdicate one or another of his roles, or to find some way to conciliate them, or perhaps to withdraw from the conflict which he cannot resolve.

The price control controversy in the Spring of 1946 subjected congressmen to just such conflicting demands, and by the time the issue reached the Senate Committee they were well-defined. The extensive hearings before the House Committee on Banking and Currency, which culminated in a series of proposed amendments to the existing law, made certain of that. It is easy, as a consequence, to identify a representative sample of congressional roles from the behavior of the members of the Senate Committee.¹³

The only person to play clearly the role of a national party leader was Senator Robert A. Taft, and he seemed to play it consistently. To him the price control contest was simply one round in a continuing battle with the Administration. Officials of the Administration he regarded not as individuals but as representatives of a generalized program which he was attacking on all fronts. Taft made this explicit when Chester Bowles protested that Taft was criticizing him for opinions which he (Bowles) did not hold: "Mr. Bowles, may I say this: I don't distinguish you from the administration. The administration has one policy; you are the Director of Economic Stabilization. What your particular views are make no difference to me. You are carrying on the policies of the administration. When I say 'You' I should be more explicit. I mean the administration. I am not attacking you personally on it, or anything of the sort. I am criticizing your analysis of the situation which is only affected by administration policy; not by what you personally think. That makes no differ-

¹³ The Democratic members of the Committee were Robert F. Wagner, New York, Chairman; Carter Glass, Virginia; Alben W. Barkley, Kentucky; John H. Bankhead 2d, Alabama; George L. Radcliffe, Maryland; Sheridan Downey, California; Abe Murdock, Utah; Ernest W. McFarland, Arizona; Glen H. Taylor, Idaho; J. William Fulbright, Arkansas; Hugh B. Mitchell, Washington; and E. P. Carville, Nevada. The Republican members were Charles W. Tobey, New Hampshire; Robert A. Taft, Ohio; Hugh A. Butler, Nebraska; Arthur Capper, Kansas; C. Douglass Buck, Delaware; Eugene D. Millikin, Colorado; Bourke B. Hickenlooper, Iowa; and Homer E. Capehart, Indiana.

ence to me."¹⁴ The loan to Britain was a special target of Taft's frequent attacks on aspects of the Administration program not within the Committee's jurisdiction. But in his role of national leader, Taft did not hesitate to tell representatives of specific industries that he did not believe they should be decontrolled.¹⁵ His role apparently was appreciated by the spectators; when he excused himself from the session with Bowles, Senator Millikin noted that Taft's departure cost the Committee half its audience.¹⁶

There was no Democratic counterpart of Taft. The chief burden for the Administration was carried not by the ageing and ailing chairman, Senator Wagner, but by Hugh Mitchell. It was Mitchell who apparently was forewarned of the nature of impending testimony against OPA, and so was ready to confront a hotel association's witness with the statement of a firm specializing in hotel accounting that "the hotel industry of this country is at its peak;" a meat institute's spokesman with a retail grocers' attack on the institute's market survey; the automobile dealers' representative with a court decision upholding the OPA cost absorption policy complained of; and a retail dry goods association's director with a Small Business Committee report claiming that prevailing prices were not hindering production by established firms.¹⁷ Mitchell's favorite tactics were to call for figures and more figures, and then discredit or interpret the figures if possible. But he was content to undertake no more than his role on the Committee required, leaving a general defense of the Administration to another time and place.

Another familiar legislative role, that of representative of a sectional interest, was played with almost classic purity in these hearings by Senator Bankhead. His concern was the Southern cotton farmer and the textile industry which buys his product; like a sensitive seismograph picking up vibrations in far corners of the globe, Bankhead reacted to testimony which remotely affected his chief interest. A lumber manufacturer was asked about timber on land owned by farmers, and the price of southern pine compared with western pine. A general discussion of how OPA figured profits was turned into a specific discussion of how it was done on cotton textiles. No suggestion that the industry was doing better than during an OPA base period was acceptable.¹⁸ A general discussion of industry advisory committees led him to point out that the 15-member committee on women's blouses had not a single member from the South, and get a promise of OPA action.¹⁹ Bankhead's interventions were devoted almost

¹⁴ *Hearings*, p. 43.

¹⁵ *Hearings*, pp. 965, 1265.

¹⁶ *Hearings*, p. 29.

¹⁷ *Hearings*, pp. 986-87, 1094, 1295-96, 1311.

¹⁸ *Hearings*, pp. 704-6, 1730-31.

¹⁹ *Hearings*, p. 325. There followed this colloquy:

Senator Tobey: That is not Senator Claghorn speaking. That is Senator Bankhead.
Senator Bankhead: What was that?

Senator Tobey: That was a joke, Senator. I said it was not Senator Claghorn, it was my friend Senator Bankhead speaking about the South.

Senator Bankhead: I am always trying to get justice for them. That is a hard task very often, I will say to my New England Senator friend.

exclusively to his one interest, and when witnesses equipped to talk about that were on the stand his usual taciturnity vanished. On one morning the Committee heard seven witnesses, three of whom represented the cotton textile industry.²⁰ With these three witnesses Bankhead accounted for more than one-third of all the interruptions (questions and comments). Of the other four (representing apartment owners and hotels) he asked no questions at all. Bankhead presided over the hearings on two occasions; on one, the principal witnesses represented the American Farm Bureau Federation, the National Grange, and the National Cooperative Milk Producers Federation; on the other, the witness was the Secretary of Agriculture.²¹

The Committee members seemed most impressive when they were acting as representatives of specific constituency interests in their states. Here they seemed to speak as experts in their own right. The clichés fell away, the fuzziness and amateurishness disappeared; here the facts were clear and the grasp sure. As a consequence, when the senators talked details of the products and industries of their states with each other they could get together on what they meant, the frustrations of contradictory figures and shifting frames of reference relieved for the moment. Mitchell on the dairy industry in Washington, Murdock and Millikin on dairy cattle in Utah and Colorado, Hickenlooper on land prices in Iowa, Fulbright on strawberries and poultry in Arkansas²²—these are but a few examples of members speaking easily and with authority on the interests of their states.

This role occupied Senator McFarland to the virtual exclusion of any other. He took very little part in the hearings. His interest was in the subsidies paid to the lead, copper, and zinc industries, which were important in Arizona. Early in 1942 the OPA froze the prices of these metals, and then sought to increase production by awarding subsidies for increments over base-period output on a mine-to-mine and month-to-month basis. McFarland proposed an amendment, supported by the industries, which would shift 60 per cent of the subsidies into the prices of the metals and put the remainder on a noncancelable basis. McFarland came late for Bowles' presentation and made sure the matter had not come up. In the meeting devoted to it, McFarland carefully guided the testimony of the industry representatives and answered many of the senators' questions himself. He displayed no interest in the subsidy question in regard to anything else. He took little part in the remainder of the hearings until the last day, when the OPA administrator of meat prices was called by the Committee in reference to several telegrams from Arizona meat dealers received by McFarland.²³

There is a difference, of course, in seeking to amend a law, which is the legislative function in its primary form, and interceding with an administrative agency in behalf of a constituent. The latter is the "errand-boy" role, and by

²⁰ *Hearings*, pp. 931-1041.

²¹ *Hearings*, pp. 637-777, 1043-88.

²² *Hearings*, pp. 176, 687-88, 1046-49, 1721-23.

²³ *Hearings*, pp. 74-75, 436-95, 1733, 1791-93.

the accounts of legislators themselves a large part of their time is spent playing it.²⁴ There is eloquent testimony in the hearings to the importance of the role to both legislator and administrator: in the senators' complaints that OPA handled congressional mail slowly, and in Paul Porter's reply that the agency got 1500 congressional letters a week and had a rule, not always carried out, that they must be answered in three days.²⁵ The errand boy role was not dropped at the committee room door. Capehart brought up three wires from merchants in Indiana complaining about the trouser problem ("Do you have a trouser expert here, Mr. Porter?"); Taylor the case of a packer in Idaho; Mitchell that of a packing company in Tacoma, Washington; Buck that of a factory in Johnstown, Pennsylvania, about which he had a letter; and Bankhead that of a Mr. Flagg of Florence, Alabama.²⁶ Names were called and action solicited. Hickenlooper, for example, instructed Porter to "make available to me all of the records of Mr. Slotkin and his meat operations for the last 4 years and whatever investigations you have made and alleged infractions and shortcomings; all the meat quotas and his record of ceiling purchases. . . . I would like to see the file and know why something has not been done about it."²⁷ Tobey raised the case of a New Hampshire veteran who thought OPA was stopping him from fabricating lumber he had logged himself. The OPA man present could not answer the question, but it was later handled to Tobey's satisfaction, although, curiously enough, not to that of Millikin of Colorado.²⁸ Senatorial interventions in the administrative process, of which these are samples, were made frankly and the administrators commended for prompt service. Hickenlooper spoke appreciatively of Porter's alacrity in the one case the Senator asked him personally to handle, and Capehart stated: "I personally have been over to OPA on any number of occasions, and I must say that I think my batting average has been about 99 percent in the matter of getting adjustments."²⁹

Still another role is involved when an industry brings its problems before the Committee and, in effect, gets a review of the policy and rulings of the administrative agency. This happened several times during the hearings. Typically, the industry in question was not one in which any individual senator was particularly interested; it simply was one which was not satisfied with the results it had gotten in its dealings with OPA. The senators allowed themselves to become entangled in the technical details of the industry's problems, frequently accepted the industry's version, and then called on OPA for action. A good example occurred early in the hearings, when representatives of the underwear industry appeared and complained in detail of OPA procedures and policies. It soon became obvious that their problems had a long history and that the Committee was not competent to legislate in detail for the underwear

²⁴ See the statements in Galloway, *Congress at the Crossroads*, pp. 57-63.

²⁵ *Hearings*, pp. 1725-26. Tobey suggested that a review board be established to handle congressional cases faster.

²⁶ *Hearings*, pp. 175-76, 181, 182, 130-32, 110.

²⁷ *Hearings*, p. 1743.

²⁸ *Hearings*, pp. 1667, 1693.

²⁹ *Hearings*, pp. 132, 111.

industry. An OPA man was sent for, and there followed a confrontation scene between him and the underwear maker he allegedly was driving out of business.³⁰

The usual effect of the Committee's interest in a particular industry or business was that the OPA then tackled the complainant's applications with speed, giving him real service. The Committee thus constituted itself a kind of super-administrative agency, intervening capriciously and depending upon business to initiate the process. Capehart got an assurance that a price increase would be granted the cheese industry, and Taft a promise of immediate action on evaporated milk.³¹ In some cases the outcome was ambiguous, as with Capehart's efforts in regard to the price of butter and oil, and Millikin's attempt to "get an airtight promise out of OPA to decontrol poultry."³² In one instance a glove-maker under suit for alleged violation of the law brought his case to the Committee, and strong pressures were placed on the OPA enforcement chief by Committee members, apparently in an effort to persuade him to drop the case.³³

One way to intercept the shifting roles of the Committee members is to observe the variations in their behavior when different witnesses appear before them—representatives of the Administration, of interest groups, businesses, etc. The Administration point of view, in support of extension of price control "without crippling amendments," was well represented on the Committee. Wagner, Mitchell, Barkley, Taylor, Radcliffe, Murdock, Fulbright, and Tobey (a Republican), were usually dependable, and sometimes aggressive, supporters of OPA. But it would have been hard to tell it during the testimony of Bowles or Porter, the first two witnesses before the Committee. Despite Bowles' hopeful introductory comment that he would like to read his statement through and then answer questions on it, Taft, Capehart, and Millikin promptly took charge. In his first appearance there is no page of uninterrupted testimony, in his second only three.³⁴ So intensive was the barrage that at one point the roles were reversed, with Bowles cross-examining Taft on the Senator's statements.³⁵ In all of Bowles' testimony, there are no more than four interventions by Administration senators to ask leading questions in support of the witness. In the two early appearances of Porter, who on the whole was treated more gently than Bowles, there are only three.³⁶ It is hard to escape the conclusion that the senators were content to let the bureaucrats take care of themselves as best they could. The role of the legislator versus the bureaucrat is an old one, rooted in an institutional jealousy never hard to arouse. Anti-OPA witnesses were well aware of it: statements that "Congress treated us fairly but OPA interpretation stripped away relief" and charges of "OPA usurpation" were staples of their testimony. And the target was well-chosen; even the gentle Barkley, staunch friend of OPA, remarked once ". . . I won in the Senate, but I lost in OPA."³⁷ Administration witnesses were not all treated the same, needless to say; Fred

³⁰ *Hearings*, pp. 229-73.

³¹ *Hearings*, pp. 845-46, 1725.

³² *Hearings*, pp. 853-58, 1087, 1724.

³³ *Hearings*, pp. 1516-38.

³⁴ *Hearings*, pp. 6-75.

³⁵ *Hearings*, pp. 25-26.

³⁶ *Hearings*, pp. 77-208.

³⁷ *Hearings*, p. 956.

Vinson was the only important witness who was allowed to read his statement through without interruption.³⁸ Among his many services to his country, the Secretary of the Treasury could count six terms in the House of Representatives.³⁹

The lethargy of the Administration senators, which hung on through the appearances of several spokesmen of particular industries, disappeared instantly with the appearance of Robert R. Wason, president of the National Association of Manufacturers.⁴⁰ Before Wason had read two hundred words of his statement, his right to speak for the public, for industry, or even for the NAM, had been challenged. From that point on the fight seems pretty even, as it was later when James B. Carey, secretary-treasurer of the Congress of Industrial Organizations, appeared.⁴¹ NAM and CIO were the principal ideological protagonists in the fight over the extension of price control, and this was clearly reflected in the interest group split on the Committee when their representatives appeared.⁴² Neither man was allowed a page of uninterrupted testimony. The role here was that of legislator pro-or-con interest groups. The senators clearly were identifying with private interest groups in a struggle which cut across the separate branches of the government.

Other group identifications can be perceived in the hearings. For instance, the special position of farm groups in American politics was underlined. In the welter of name-calling and exaggerated charges, there is not one criticism of farmers. Everyone agreed they deserved well of the republic. On one occasion Taylor came dangerously close to a critical remark; in defending the government's paying a premium price for grain, he said: "The farmers knew that they [starving people] had to have it, but unfortunately they have held on to the wheat and corn. I don't think it is to the credit of the American farmers themselves. . . ." But Capehart forthwith restated the official congressional position: ". . . I don't agree with the Senator that the American farmer is unpatriotic. I think they are among the most patriotic people this Nation has and I want the record to so state. I don't agree with that statement at all."⁴³ Ed O'Neal, president of the American Farm Bureau Federation, reflected the magnificent immunity of the farmers when he blamed the inflation, with fine impartiality and without challenge, on the Congress, both parties, the Treasury, the Federal Reserve, and the whole Administration, as well as OPA.⁴⁴ Again,

³⁸ *Hearings*, pp. 1551-78.

³⁹ In the 68th to 75th Congresses, except for the 71st.

⁴⁰ *Hearings*, pp. 392-428. ⁴¹ *Hearings*, pp. 573-603.

⁴² Consider this fine exchange:

Mr. Carey: There are no such things as "natural economic laws."

Senator Millikin: Who repealed those?

Mr. Carey: They never existed.

Senator Millikin: My God! That is astounding information.

Mr. Carey: In the first place, economic laws are a prostitution of the *aims of nature*, whose first purpose is to fill the needs of man . . . (*Hearings*, p. 576. Emphasis added).

⁴³ *Hearings*, p. 800.

⁴⁴ *Hearings*, pp. 668-69.

it was reflected in the lack of any interrogation of James G. Patton, president of the National Farmers Union, whose record as a political actionist might have been expected to invite cross-examination.⁴⁵

One identification any congressman is likely to make is that with his former, or other, occupation. This is borne out in the lawyer-like conduct of the legislative hearing itself, with its cross-examinations and its concern for "the record." As Ernest Griffith has remarked, "The majority of congressmen were (and still are) lawyers, and, to a lawyer, truth emerges from a battle of protagonists."⁴⁶ But other occupations also are represented, and the label "lawyer" frequently covers a variety of activities. It is a virtue of the legislature that it is made up of "general" men, and it is natural that legislators should test what they hear against the commonsense of their own experience. The senators on this committee did so; Murdock, for example, talked to a livestock man about his own grass-fed steers, and Millikin remarked: "I am speaking somewhat categorically on this because I have had considerable experience in the oil business."⁴⁷ But this is not the same thing, quite, as identifying with an occupational group and perceiving facts in their frame of reference. That is what Capehart seemed to do. A farmer and manufacturer, Capehart had been in the Senate less than two years. He made reference to both of his other occupations, but it was clear that Capehart saw price control in his role as businessman. Over a quarter of a century of experience had conditioned him to trust a businessman's judgment and resent the bureaucrat's interference in the economy. As he put it himself (objecting to questions asked of a businessman): "My observation is that anyone that comes in here from an industry knows his business. They are the people who are trying to make things and do business under all the difficulties that confront them, and trying to be honest and sincere and conscientious, and in the hope that they will be permitted to remain in business. I think that to question their integrity and honesty . . ." To which Barkley replied, in part: "We had a witness here yesterday who questioned the sincerity and honesty and integrity of everybody in the Government and you didn't complain about that."⁴⁸ But Barkley, who first went to Congress in 1913, *had* complained the day before, as he did on every occasion when government officials were attacked indiscriminately.

That Senator Capehart continued to regard price control as a businessman would, so long as he remained a minority member of the Committee, is suggested by his writing in 1951 what President Truman called "the terrible Capehart amendment," which Truman said made price control impossible. But in 1953 Capehart assumed the new status of Chairman of the Banking and Currency Committee, and with it a new role requiring him to accept primary responsibility for the legislation reported by the Committee. In his new role he

⁴⁵ *Hearings*, pp. 691-99.

⁴⁶ *Congress: Its Contemporary Role* (cited in note 7), p. 63.

⁴⁷ *Hearings*, pp. 1205, 1718. Millikin is an example of the lawyer in Congress: his biography in the *Congressional Directory* includes law, the army, and politics, but not the oil business.

⁴⁸ *Hearings*, p. 1316.

advocated stand-by controls for prices, wages, and rent. He found it hard to understand the intransigence of groups which were "unalterably opposed" to any concession to the principle of controls, and understandably shocked to hear himself accused by a business lobbyist of espousing a philosophy of the "left." It would be hard to find a more striking example of the effect of a change of status.⁴⁹

Senator Tobey appeared briefly from time to time in his peculiarly personal role of moral prophet. He was inclined to indict the whole people for lacking the moral fiber to resist the tainted opportunities afforded by the black market. In the tones of Jeremiah, later to become familiar to the television audience of Kefauver's crime investigation, he called upon the people "to rise up and say 'Unclean, unclean'."⁵⁰

Some of the roles which might have been anticipated were not played by anybody. That of the dictatorial chairman, sure of his power, was one. That of the subject-matter expert, whose prestige in a given field is widely accepted (e.g., O'Mahoney on economic questions⁵¹), was another. The hectoring-inquisitor role was not played consistently by anybody.

The limitations upon what can be done in a study of behavior from the printed record alone have already been acknowledged. The pattern of interactions among the members can be studied fully only from first-hand observation. What does it mean in the climate of the hearing for a particular member to be present? Or absent? It can be seen from the record that questions, and sometimes tempers, tended to get shorter when Senator Taft was on hand. That is tantalizingly suggestive, but not enough. Who supports, who opposes, whom? Who retreats into silence from whom? Such questions can be answered only by the observer. The item in the record which might reveal significant interactions may be the very one which is subsequently edited from it.

It is hard to evaluate the role of leadership with any method, and especially so when reliance must be placed on the printed record. On the surface, it would appear that Senator Wagner had little control over his Committee in the price control controversy. The power of the committee chairman is justly celebrated in political journalism, but it may be that like so many other concentrations of power in the Congress, it can be used most effectively against a majority only in a negative way. The chairman can prevent committee consideration, prevent a report, prevent floor consideration, much more easily than he can command a balky majority to do something positive. When Congress passes legislation requiring periodic reenactment, as it does so often now, it must counteract to some extent the power of the few to control the many. Wagner was not able to get his way with this Committee. He refused to sign the report. Barkley signed it only to get it on the floor, making clear his opposition to it. What went on in the executive sessions, where the bill was amended heavily over

⁴⁹ See Robert Bendiner in "The Apostasy of Homer Capehart," *The Reporter*, May 12, 1953, pp. 30-32, for an interesting description of the Senator's discomfiting experience.

⁵⁰ *Hearings*, p. 1673.

⁵¹ See Earl Latham, *The Group Basis of Politics* (Ithaca, N. Y., 1952).

the opposition of the chairman, obviously is not to be learned from the record, and perhaps not in any other way.

Some elaborate studies based on role theory have been made of complex organizations,⁵² and the congressional committee would seem to be an inviting subject for such research. That much, at least, seems clear from the foregoing analysis; no generalizations about the committee are valid which do not take into account the varied and complex statuses which congressmen hold, and the shifting roles which they play in filling first one and then another of them. A congressional committee is an agency for the implementation of the purposes of congressmen. Functionally, it gives to bills the detailed consideration which the full house cannot, but in other ways it is simply another point of focus of the political process, as its parent house is also. It is a part of "the legislative struggle," to use Bertram Gross's term, but, as he indicates, the struggle is a confused one in which the participants fight for different and changing purposes and represent many and sometimes opposing causes. National and parochial ends are inextricably entwined in the Congress, and so they are in the committee. Taft, holding no elective party office in the Senate and sharing eighth rank in seniority with three others, nevertheless chooses the role of national leader for himself and effectively shapes the expectations of others to that role. The committee hearing is no more than a shift of scene for him. McFarland, soon to lead the Democrats in the Senate, chooses for reasons of his own to use this time and place to plead narrowly for the industries of his state. Therein lies the value of the committee hearing for the student of political behavior: within a more manageable compass, the congressmen behave like congressmen.

III. THE COMMITTEE AS A FACT-FINDING AGENCY

The Committee's performance as a fact-finding agency is worth special consideration. Quantitatively, at least, an impressive job was done. Nineteen days were consumed in public hearings, during which 12 public officials, 38 spokesmen of business and business groups, five representatives of organized labor, eight farm group leaders, and nine persons representing other groups—72 witnesses in all—testified before the Committee. The printed record ran to 2212 pages, including 541 exhibits, charts, statements, letters, and telegrams. Thousands of questions were asked and answered. Out of this welter of facts and opinions, what did the Committee learn about the problems of economic stabilization? What kinds of questions did its members ask? What picture of the factual situation emerged from the answers they got? In the light of the Committee's performance, what might be done to make legislative committees generally more effective as fact-finders?

These questions would be easier to answer if the Committee had ever formulated a set of questions to which the hearings should supply answers. That the

⁵² See Eugene Jacobson, W. W. Charters, Jr., and Seymour Lieberman, "The Use of the Role Concept in the Study of Complex Organizations," *The Journal of Social Issues*, Vol. 7, pp. 18-27 (No. 3, 1951), and the publications of the Survey Research Center, University of Michigan, which are listed there.

Committee did not do. Nevertheless there were questions which, because of their pertinence, were raised again and again, by the witnesses and by the senators themselves. For the purposes of this study, several of these recurring questions were traced carefully through the hearings, to see whether any or all of them could be answered, unambiguously, from the record. Careful attention was paid to the leading questions and gratuitous statements of the senators, to see what facts they accepted, and whether their conceptions of the "facts" ever changed. From this procedure there emerged, not one picture of the factual situation, but two. The senators who supported OPA accepted one, those who opposed OPA the other. Some sharpening of details in each picture doubtless occurred, but there was no indication of a change in the general picture for either group. Each group seemed to come into the hearings with a ready-made frame of reference. Facts which were compatible were fitted into it; facts which were not compatible, even when elaborately documented, were discounted, not perceived, or ignored. This is not so hard as it sounds. A disagreeable fact is not an isolated fact, but one of a constellation of facts. Which is the relevant one? And when statistics seem accurate beyond dispute, there is the question of selecting the relevant variable or the proper base period, or perhaps of whether there is not a serious contrary trend which began too late to be reflected in the figures. Thus contradictions need not be resolved, and in these hearings they were not resolved. The hearings could be said not to have progressed. At the end the same questions were being asked as at the beginning, and were receiving the same sets of answers.

There was not necessarily agreement within either group over what should be done about price controls. The *pro forma* claim that "I don't know how I'm going to vote on this matter" was made frequently, and most of the senators would say that price controls ultimately would be extended—with modifications. What divided them was that one group would accept statements of fact which put the OPA in a good light, and receive sympathetically the claims of groups which supported the OPA and the Administration. The other group would not. The first group was made up loosely of the Democrats Wagner, Mitchell, Barkley, Taylor, Fulbright, Murdock, and Radcliffe, and the Republican Tobey. The opposing group was composed of the Republicans Capehart, Millikin, Taft, Hickenlooper, Buck, and Butler, and the Democrat Bankhead. Other members of the Committee did not participate frequently enough to be placed with any confidence. The first group's conception of the facts was shared roughly with Administration spokesmen, labor representatives, the president of the National Farmers Union, and several other group representatives purporting to speak for the "liberal" or the consumer point of view. The second group listened most receptively to business spokesmen and the representatives of the other farm groups. These classifications are rough, of course, and should be taken that way. They are not meant to indicate anything approaching complete uniformity.

Some of these questions, and the ways in which the two groups answered them, may now be considered.

What was the "lesson" of World War I? The Administration clearly thought that the experience of World War I supported the extension of price controls. Every Administration witness mentioned, it, and charts were brought in to support their story.⁵³ Starting back in 1914, it ran, prices rose precipitously until some voluntary controls were partially successful in checking the rise in 1917-18. After a brief post-Armistice recession, with controls off, prices rose sharply again in 1919-20, causing a snowballing of demand and a hoarding of inventories, in anticipation of even higher prices. Ultimately a buyers' strike caused collapse; deflation and depression were the result of the unchecked spiral of prices. To these witnesses and their supporters the moral seemed clear: weakening the price control program in 1946 would bring the same disastrous results.

To the other side it was not clear at all. They doubted the relevance of the earlier experience to the problem at hand. Or they were impressed with the shortness of the periods of inflation and deflation in World War I. Taking the post-Armistice figures alone (which they frequently did), neither the climb nor the subsequent drop looked so bad. They pointed out that a "flood of goods" had eventually forced prices down, forgetting that prices had gone up three times as much as industrial production, and that the "flood of goods" had been released—not produced—by deflationary dumping. Even recollections of the period fell conveniently into place; Glen Taylor remembered it as a dreadful experience, Capehart as not bad at all.⁵⁴ Millikin was perhaps the most intransigent. He could see on the government's charts only one fact, that prices had gone down. The buyers' strike had prevented an "explosive inflation"—by which he meant not the 150 per cent increase the World War I charts showed, but the kind of runaway inflation the Germans had.⁵⁵

What causes inflation? This question caused difficulty, because whenever it was discussed seriously it took the Committee quickly outside its jurisdictional field. Farm policy, fiscal policy, the wages of labor, and many other things not the Committee's business were involved in the stabilization program. But the question had to be raised. The Administration group saw the principal inflationary threats in the economic forces OPA sought to control. The pent-up demands from the war period, supported by 225 billions in purchasing power, exceeded the total current supply of goods. Production was at a record high level, despite labor shortages and the problems of reconversion, but it would take time to "fill the pipelines" from producer to consumer and meet the demand. In this interim period, price controls were imperative to prevent a disastrous spiral. These were the bed-rock economic facts, but this group suspected more. They believed that businessmen were hoarding inventories, thus

⁵³ The statements used in this section were all selected because they were made many times. Therefore, no attempt will be made to document them except where a particular quotation is used by way of illustration. For a representative Administration statement of the World War I experience, see the testimony of John D. Small, head of the Civilian Production Administration, at pp. 1449-50.

⁵⁴ *Hearings*, pp. 206-7.

⁵⁵ *Hearings*, pp. 1585-86.

aggravating the shortages, in order to make huge profits if price controls were removed. They also believed that speculation—"betting on inflation"—made the control job harder.

The charge of inventory-hoarding is a good example of the influence of group ideology on the perception of facts. It was made repeatedly by pro-OPA witnesses, and apparently believed implicitly. Yet when the opposing senators demanded proof, it was sometimes promised but never furnished. Paul Porter could report an incident he knew about, and surmise that the situation, whatever it was, would get worse as the date for the expiration of controls drew near.⁵⁶ A member of a CIO local told about finding a back room full of oil at a place where he had been told there was no oil.⁵⁷ That was the extent of the proof of inventory-hoarding, but the charge would not down; it was an essential element of the version of the facts held by OPA supporters. Their opponents, curiously enough, accepted inventory-hoarding as a fact sometimes, justifying it on the grounds that the hoarders could not make a profit under OPA, or that they hoped OPA would see "the light" and treat them fairly.

Anti-OPA witnesses and senators found the chief causes of inflation in the policies of OPA itself. OPA kept prices unrealistically low, forcing producers to concentrate on high price lines or inferior substitutes. By refusing to recognize rising costs of production, OPA impeded production. OPA propaganda and "scare talk" created an inflation psychology, leading to panic buying and hoarding. Other Administration policies, including the unbalanced budget and the loan to Britain, compounded the pressures on prices. So did the wage increases which the Administration permitted. To this group, wage increase always started an inflationary spiral, just as a price increase did for the pro-OPA group. Similarly, Taft would not agree with Bowles that repeal of the excess profits tax was inflationary, but he was sure the loan to Britain was.⁵⁸

What has been the overall effect of price controls on the economy? OPA and its friends were sure that OPA had stabilized the economy and prevented inflation. Their charts showed it; the cost-of-living index had risen only about 30 per cent since 1939.⁵⁹ They claimed that the cost-of-living had risen only about $3\frac{1}{2}$ per cent since price controls became effective in 1943, and had gone up only .7 per cent since V-J day. In this time, controls had prevented neither production nor profits. Everyone knew that production had been enormous, and the charts showed that it had risen at its wartime peak nearly 140 per cent over the 1939 level. Their opponents would contest it, but OPA was prepared to support the claim that business profits had been high, too. OPA believed that it had preserved economic stability and made planning possible.

Its opponents believed that the overall effect of OPA on the economy had been bad. Some were willing to accept it as a wartime necessity, and to make a grudging admission that it had done an acceptable, even a good job, if only its powers could be terminated soon. But others would not concede that it had done a good job. The kindest view was that it was not OPA's fault: the economy

⁵⁶ *Hearings*, p. 198.

⁵⁷ *Hearings*, p. 608.

⁵⁸ *Hearings*, p. 39.

⁵⁹ *Hearings*, p. 1450.

was too complex for controls, and besides, price controls could only treat effects, not causes. Some argued that inflation had been serious in spite of OPA (amounting to 32 per cent over 1941)⁶⁰ but generally the figures did not seem to matter much; they did not settle the question, as they might have been expected to do. Millikin said again and again that OPA never had held a line when there was real pressure on it, that the goods simply flowed into the black market and the price line became a "fiction." OPA had made it impossible for farmers, dry goods wholesalers, retail meat dealers (and others, explicitly and by inference) to operate legally. The government's figures actually demonstrated a chief vice of OPA: the agency concentrated on controlling the cost-of-living *index*, rather than encouraging production through incentive prices where needed. The bill of particulars against OPA was a long one; in addition to hampering production, penalizing the efficient producer, and diverting goods to the black market, OPA had used its consumer subsidy program to increase the demand for the limited supply of goods. The overall effect of OPA, they believed, had been to aggravate inflationary pressures.

What is the administrative record of OPA? The administrative performance of OPA was under continuous attack; the agency and its friends never got off the defensive. OPA was charged with handling appeals slowly, with issuing orders that were hard to understand, with tying up business with red tape. It was not improving, or if it were, it still was not good enough. OPA was inflexible; it handled individual firms with industry-wide orders, and refused to modify those orders. These criticisms were to be expected, but there were worse. The agency had "continuously and directly violated the Price Control Act,"⁶¹ Taft said, and Goss, master of the Grange, was even more sweeping when he said: "For four years the OPA has thumbed its nose at Congress, has violated the basic law under which it was created, and has pursued an illegal but politically expedient course which has fed the fires of inflation and then tried to control the fire by stopping up the chimney."⁶² Its "vicious propaganda" had created a "scare psychology" among buyers. OPA was accused especially of refusing to grant relief in hardship cases, as provided for by law, and of holding up production by maintaining inadequate ceiling prices which they had the power to raise. This line of criticism fell into a syllogism: every increase requested is necessary to production; any delay in granting it holds up production; therefore, OPA is responsible for critical shortages (e.g., in housing for veterans).⁶³ Since there was no question of the righteousness of every request for an increase, if OPA held one up a year it was only because of administrative ineptitude; the fact that it was granted ultimately proved it was right all the time, without regard to any change in circumstances which might have occurred.

Under this drum-fire of criticism, OPA was pushed into defending itself by citing the number of adjustments it had made and price increases it had allowed.⁶⁴ The agency officers contended they had a "realistic" approach to price

⁶⁰ *Hearings*, p. 866.

⁶¹ *Hearings*, p. 1243.

⁶² *Hearings*, p. 674.

⁶³ *Hearings*, pp. 301-4.

⁶⁴ *Hearings*. See, for example, pp. 82, 155-56, 159-62, 783-84, 1580, 1727.

control (i.e., one which allowed prices to go up). The ambivalence in their position was resolved by claiming that, while they had held the line against general inflation, they had granted adjustments to get production or relieve hardship. The Administration group was willing to admit mistakes, but insisted that OPA's procedures had been improved and made more than reasonably efficient. A detailed account of procedures employed to reduce delay in handling individual adjustment cases was placed in the record, with statistics demonstrating their effectiveness.⁶⁵ Breakdowns in production were traced to shortages in labor and materials, not to administrative delay. But the criticisms, needless to say, were not affected in the least.

The influence of group ideology on fact perception was clearly reflected in the image of OPA as a human organization which each group held. The opponents of OPA saw the agency people as theorists, inexperienced in business, telling experienced businessmen what to do. The complaint that "OPA does not understand the underwear industry" (or the construction industry, or any other) was frequently heard, and doubtless it was true. As one OPA official put it, it was impossible to have an expert in every line. To a businessman involved in the unique particulars of his own business, the edicts of an agency which of necessity sought to generalize its rules were bound to seem amateurish and arbitrary. Thus the professor, whom the Congress had tried to legislate out of OPA, proved as a stereotype to be ineradicable. Consequently, the anti-OPA senators were prepared to accept assertions of industry representatives that inexperienced men were dictating terms to their particular industries. Detailed statements of the experience of men in those branches of OPA were of no avail.⁶⁶ The automobile dealers complained that there were no persons remaining in OPA who had experience in the retail automobile business; Porter listed four in the Automotive Branch, and the dealers carried the debate into the appendix of the record.⁶⁷ In answer to the lumbermen's charge, Porter listed 17 employees with a total experience in the lumber business of 400 years.⁶⁸ But Taft was sure that no retail lumberman knew anything about pricing for the industry. And so it went. That there was more involved than the legislator's stereotype of the bureaucrat is clear from the persistence with which the Administration senators defended the competence and experience of OPA administrators, whom they believed to be able and patriotic men who frequently were hired away from OPA by business.

What are the motives of OPA? The contrary images of OPA extended to the motives imputed to the administrators themselves. Their opponents saw them as enemies of capitalism, who hated profits, liked controls for their own sake, and wanted to perpetuate their own jobs. "Last year, this year, next year, the year after" was heard again and again, summing up the anti-OPA belief that

⁶⁵ *Hearings*, pp. 138-45.

⁶⁶ See the list of OPA personnel connected with pricing of textile industries, *Hearings*, pp. 118-25.

⁶⁷ *Hearings*, pp. 1272, 1760, 1874-76.

⁶⁸ *Hearings*, p. 1713.

OPA would always ask for extension of its regulatory powers. The statements were bitter. Bowles was compared to Hitler and Mussolini, without rebuke from anti-OPA senators. OPA officials belonged to that "school of thought that believes that the wholesaler, jobber, and distributor are excrescences on the body politic." Again, "... the fundamental philosophy of OPA is the abolition of profits, the regulation of profits, and the stifling of private enterprise." The kindest construction put on their motives was that they were "a group of very sincere, honest young people that want to reshape the world nearer to their heart's desire ... but they seem to disregard the effect of these regulations on legitimate established business."⁶⁹ Given this image of OPA, it was easy to believe in specific acts of duplicity and abuses of power. When a price increase was granted an industry the day before its spokesman appeared before the Committee, Capehart was sure the timing was deliberate. The OPA contention that at least two months were required to clear a price order did not move him (although usually he would accept the argument that OPA could do nothing in a hurry).⁷⁰ OPA was charged with allowing a rental 50 per cent above ceilings on some new apartment buildings in New York, just to prevent apartment owners from claiming there was no new building under OPA.⁷¹

OPA's own statements of its policies and practices obviously would not be acceptable to senators who saw them in this light. Porter stated the decontrol policy of OPA this way: "... if we can find that there is a reasonable prospect that there will not be inflationary increases to the extent that would jeopardize the general policy of stabilization, we can take [price control] off." But Millikin was sure that if OPA should take "a long look through the future and if you see some little dislocation ahead that might interfere with prices, you are not going to decontrol."⁷² Some of the senators favored writing a rigid decontrol formula into the law, on the ground that OPA could not be trusted to decontrol otherwise. Perhaps the blackest picture of OPA was painted by Millikin in grilling the OPA deputy administrator for enforcement. Millikin insisted that OPA set quotas for its enforcement officers, smeared innocent business men and set traps for them with sweeping injunctions, and forced federal judges to render judgments they knew to be unjust. Murdock finally was moved to protest that OPA did not write the law, nor confirm the federal judges, and "that if you go to the length that Senator Millikin wants you to, we must assume that we have a fool on the bench as well as a rather vicious fool in the OPA Enforcement Section."⁷³

The Administration group could see no justification for impugning the motives of OPA officials. As they saw it, "they are all down here on loan from busi-

⁶⁹ *Hearings*, pp. 1185-86, 1356, 971, 1356. See p. 971 particularly for the contrast in the images of OPA held by the president of the National Apartment Owners' Association and by Senator Glen Taylor.

⁷⁰ *Hearings*, pp. 1311, 1319.

⁷¹ *Hearings*, p. 1492.

⁷² *Hearings*, p. 1718.

⁷³ *Hearings*, p. 1691. This remarkable cross-examination is worth a complete reading. See pp. 1663-1705.

ness enterprises and at a financial sacrifice, most of them, and they are anxious to get back."⁷⁴ OPA administrators were selfless, patriotic men, who believed in the profit system and allowed for profits in their pricing, and who were motivated by a desire to save the business system from the evil effects of an inflationary spiral.

How has labor fared in the postwar economy? If one question were wanted, of all those asked in the hearings, to provide an index to the whole constellation of facts accepted as true and relevant by the person answering, this one probably would serve as well as any other. The result would turn on whether the answer mentioned hourly wage rates, which generally were up, or take-home pay, which generally was down.⁷⁵ This is another way of saying that the two groups divided sharply on their attitudes toward organized labor. The pro-OPA group, senators and witnesses (including the consumer groups and the Farmers Union), was sympathetic toward it; the other was not. One brief exchange perhaps will serve to illustrate. Ed O'Neal, president of the American Farm Bureau Federation, presented a series of elaborate tables designed to show, generally, that the earnings of labor had advanced much faster than the cost-of-living, and that conversely the cost of food had advanced relatively very little.⁷⁶ Senator Mitchell pointed out that the NAM compilation showed the cost of food and the price of farm products as having gone up more than the AFBF figures did. Replied O'Neal: "... We farmers are getting awfully tired of the *workingmen in America* and a lot of *propagandists in the administration* blaming the farmer. We are all pretty mad about it." To which Mitchell countered: "How about the National Association of Manufacturers? Their compilation shows that the farmer is getting more out of the increase, a greater increase, than anybody else." But Mitchell could not make O'Neal criticize the NAM.⁷⁷

Obviously, hourly wages and take-home pay are two aspects of the same thing, and both were relevant to the Committee's problem. Hourly wages are part of the cost of production and affect the price at which a producer can sell. Take-home pay is what the worker relates to the cost-of-living; together they determine whether he makes ends meet. But both groups were reluctant in the extreme to consider both factors. Taft, for instance, wanted the AFL to put in the record "a figure on the increase in *straight-time hourly earnings* since before the war." Green did not have those figures, but "I have a few figures here," he said—all showing declining earnings *since VE-day*. Taft did not want postwar figures; he wanted a simple comparison of the increase of the cost-of-living and of straight-time hourly earnings since January 1, 1940, which he believed would show that labor had done very well. Needless to say,

⁷⁴ *Hearings*, p. 971.

⁷⁵ See the colloquy of Taft and Bowles, *Hearings*, p. 58.

⁷⁶ *Hearings*, pp. 654-65. Significantly, the only group chosen for comparative purposes is labor.

⁷⁷ *Hearings*, p. 667. Emphasis added. Contrast the attack on NAM by James Patton, president of the Farmers Union, pp. 694-98.

when the figures were submitted he got a great deal more than that, but never precisely that, and the showing did not come out his way at all.⁷⁸

The cleavage on facts related to labor never was closed. Earlier in the year a wage increase had been granted to steel-workers, followed by an increase in the price of steel. These related facts were neatly divided in the testimony; neither side willingly talked about both. To one, the wage increase meant that the government had abandoned wage controls; to the other, the "\$250,000,000 bribe to the steel industry" was a hard blow at stabilization. Goss and O'Neal, like the businessmen, stressed the wage increase; Patton and Carolyn Ware (speaking for the consumer) said that their organizations had protested the price increase. One group saw labor's preferred position relative to other groups continuously being improved by a sympathetic Administration which allowed wages to rise unchecked and forced businesses to absorb increased costs without price relief. The other saw disadvantaged labor striving to meet increased costs of living with diminished take-home pay, and forced to bargain with businesses which could recoup strike losses from tax returns.

Other questions. Many other questions showed the same division as to what the facts were; a few, briefly treated, will have to suffice.

One of the cliches accepted by everybody was that production was the only thing that would solve the problem of inflation. What, then, was the level of production at the time of the hearings? The Administration group offered figures many times to show that production was at the highest level in our history, that only the pent-up demand of a population loaded with purchasing power made it insufficient.⁷⁹ This made the problem simply one of what to do about prices until the excess of demand could be satisfied. Higher prices, they were sure, would not increase production, when the real bottlenecks were shortages of labor and materials. There was no indication that the figures ever convinced anybody. "How do you get production?," remained the crucial question for the opponents of OPA. Even the everyday experiences of the protagonists seemed to be affected by what they thought to be true. Senator Taylor found the evidences of production in the stores; he had found tools he wanted with no trouble. A representative of the National Retail Associations, on the other hand, could not buy a little hatchet, search as he would.⁸⁰

A related question concerned the profits of business. In an economy of hundreds of thousands of businesses, it may be doubted whether aggregates or averages could mean much; but the profits of business were part of the picture and a try had to be made. Some elaborate statistics were presented, but the Committee never really got beyond the question of how profits should be computed. Profits before, or after, taxes? Figured as a percentage of net worth, or net sales? Bowles' figures were based on net worth; Taft countered with tables showing the percentage of national income paid out to various types of recipi-

⁷⁸ *Hearings*, pp. 787-93. Emphasis added.

⁷⁹ *Hearings*, pp. 870-71, 1449-51, 1461-62, 1708-9.

⁸⁰ *Hearings*, p. 867.

ents between 1929 and 1945, and corporate profits before and after taxes as a percentage of national income for the same period.⁸¹ Similar difficulty was had with a question of business practice. One of the House amendments would require OPA to set a ceiling price for every product which would allow the cost of the product plus a reasonable profit for both producer and distributor. OPA argued that most industries make a variety of products, some of which make high, others low profits and still others no profit at all. What mattered to the industry was its overall profit. OPA supporters could and did buttress, with personal experience, their contention that no businessman expected to make a profit on every item. But their opponents had had contrary experience in business; they were equally sure no businessman ever willingly lost money on anything.⁸²

A question with which the public was concerned in 1946 was what had happened to meat, and what should be done to get more of it. The question was extensively discussed in the hearings, by the persons best qualified to give the answers. The several levels of the meat industry all wanted price ceilings removed. They quoted Department of Agriculture figures to show a great supply of cattle, enough to meet demand, and needing to be reduced. They argued that legitimate packers had trouble getting steers because they had been diverted to small black-market operators, who wasted valuable by-products as well as overcharging the public. They estimated that the removal of controls would send prices up 15-20 per cent (again based on Agriculture figures), which was about what they thought people were currently paying in the black market. With decontrol, the industry people believed, meat would flow into legitimate channels, probably forcing prices down. If meat were not decontrolled now there never would be a better time.

The experts in OPA, and their friends on the Committee, thought the black market in meat and the wastage of by-products had been greatly exaggerated. They recognized that there had been diversion of meat into the black market, but they pointed out that a new control order put into effect on May 1 had within a week increased the volume of inspected slaughter cattle by 12 per cent to a figure only one per cent below the volume for the same time in 1945. They believed, therefore, that the problem was being solved. Some of them questioned the Agriculture Department's figures; they did not believe there was enough meat. But Patton and the CIO packinghouse workers both thought the "shortage" was deliberately engineered by the large packers.⁸³ They were

⁸¹ *Hearings*, p. 42. Perhaps the most remarkable piece of statistical gymnastics was performed by James Carey, CIO, who put corporate profits during the war years at 52 billion dollars (before or after taxes?). Although he stated that 25.9 billions had been paid to stockholders, he then said: "For every dollar of these unused reserves [sic] it means one hour of unemployment for some American worker. In other words, \$52,000,000,000 means 52,000,000,000 man-hours of unemployment" (p. 585).

⁸² For representative examples of these exchanges, see *Hearings*, pp. 47-48, 286, 807, 987, 1589-90, 1623-25.

⁸³ Resolution of United Packinghouse Workers of America, CIO, *Hearings*, pp. 641-44; testimony of James Patton, pp. 698-99.

sure that the removal of ceilings would send prices up at least 50 per cent, wreck other food controls, and end stabilization. It would be better to decontrol later, when a larger supply of durables and consumer goods would drain off purchasing power and relieve the pressure on foods.

The disagreement extended even to small and ascertainable facts. What is the most efficient use of grain? Fulbright asserted that "a pound of wheat, used in bread, will produce about 2,400,000 calories, and if it is fed to a beef cow it will produce only a little over 200,000 calories." To which Hickenlooper replied: "... I am quite certain that the statistics show in every study that has ever been made of ultimate food values that human beings get more definite, substantial value out of grain fed through meat animals than they do from the grain itself. That is they get more proteins and more vitamins. . . ." ⁸⁴ Like the large contradictions, this small one remained unresolved.

Many facts, of course, have handles on both ends. Wason, of NAM, for instance, produced newspaper advertisements to show that grocery prices had gone up more than Bowles claimed. This might seem to prove that Bowles had lied and that OPA had failed to control grocery prices, or it could show that the grocers had no reason to complain of OPA. ⁸⁵ When a CIO member recited high prices he had to pay, it might demonstrate, as he thought, the laborer's need for continued protection; but perhaps it was unwitting testimony to OPA's ineffectiveness. ⁸⁶ Or take the question of the level of production of any commodity. If it were conceded to be low, and not equal to demand, it could be said to prove that price control was needed until production could meet the demand, or, contrarily, that control should be abolished in order to get production. If it were conceded to be high, it might prove that production and profits could be gotten under price control, or that control could now be abolished with safety.

IV. INFLUENCE OF GROUP IDEOLOGY ON FACT PERCEPTION

What has been argued in the preceding section is that the Committee and its witnesses were made up of two loose groups of people who disagreed, not so much in their opinions upon what should be done about a known or ascertainable fact situation, as upon what the underlying facts themselves were. As advocates, neither side could afford to accept the other's conception of the facts, for that would be to concede the battle; policy is rooted in the assessment of the situation. But if common experience can be trusted, the people on both sides believed in good faith that they were stating *the* facts, and from this flowed the sincerity and even passion with which they seemed to talk. As Walter Lippmann put it, "a public opinion is a moralized and codified version of the facts." ⁸⁷ The interest group orientation furnished the pattern of preconceptions through which the facts were screened. It was easy for one side to see an entrenched bureaucracy meddling with a free economy, for the other to see a democratic

⁸⁴ *Hearings*, pp. 1209-10.

⁸⁵ *Hearings*, pp. 395-402.

⁸⁶ *Hearings*, pp. 604-9.

⁸⁷ *Public Opinion* (New York, 1922), p. 125.

government protecting the helpless from exploitation. After that it was just a matter of filling in the details.

There is, to be sure, nothing new in this conception. It is at least as old as Plato, who expressed it with moving beauty in his allegory of the cave.⁸⁸ But it has a relevance for a theory of the group process in politics that has not been sufficiently appreciated. In the price control controversy (and surely in others like it) the senators were not sitting as arbiters of the group struggle, but as participants; it flowed through them. But it was not perceived so clearly and simply as that by those in the struggle. It is generally accepted that there are many opinions, but not that there are many versions of the facts—or at least, not that there is no single *true* one. This is the crucial problem of communication between social groups, as it is, to a greater degree, of intercultural communication. Given its own version of the facts, and believing it to be the only true one, each side could fight for the general interest and impute bad motives to its opponents in all sincerity. In this sense the Committee *was* concerned with promoting the general interest, but so were most of the spokesmen of special interests who appeared before it. Social conflict over group interests, clearly perceived and rightly identified, should be easy to mediate; a rough appraisal of the balance of power and frank bargaining should be enough. It is the quantum of concern for the general interest in every calculation that makes the trouble.

It should be emphasized that the price control question was highly political, with a long history. The kinds of information committee members would want, the kinds of facts they would be able to perceive, their willingness to accept relatively objective data, surely would vary with the kind of question under consideration. Nevertheless, the conception of the social nature of fact perception should be useful to political science. In regard to policy, it suggests one of the limits to the usefulness of uncommitted social intelligence to the politician. In regard to research, perception of the fact situation surely is one of the crucial variables, both in the group struggle which is the political process, and in the behavior of the individual actors in it.⁸⁹ Conversely, the perception of the fact situation by public officials might provide a useful index to their group orientations.

V. CONCLUSION

This study began with two sets of generalizations, one of which suggested that committee members sit as judges representing the general interest presiding over the public debate of the special interests; the other suggested that committee members themselves are participants in the struggle of contending groups, one phase of which is the public hearing. The analysis of the hearings

⁸⁸ This was the central idea of Lippmann's *Public Opinion*. See especially Karl Mannheim, *Ideology and Utopia* (New York, 1951), and Ralph K. Merton's essay, "The Sociology of Knowledge," in *Twentieth Century Sociology*, eds. G. Gurvitch and W. E. Moore (New York, 1945).

⁸⁹ See the distinction between process and behavior made by David Easton in *The Political System* (New York, 1953), pp. 203-6.

conducted in 1946 by the Senate Committee on Banking and Currency on the question of extending price control would seem to support the latter. The members of this Committee did not sit as legislative judges to discover an abstract general interest, nor did they seem concerned with presenting a balanced debate for public consideration. On the contrary, most of them did take sides. The Committee hearings clearly were used as a public platform for opposing groups with which the senators identified. A great deal of information was received from interested groups, which the senators accepted or rejected in accordance with their preconceived notions of the facts. What was made perfectly clear was that the groups opposing price control were more numerous and more militant than the groups supporting it. This was, of course, crucial information. The remark of Kefauver and Levin (in urging professional staff for committees), that "Congress cannot function today without lobbyists,"⁹⁰ will always be true, for only the lobbyists can tell what their groups will fight for and how hard they will fight. It is reasonable to suppose that some social catharsis was provided by the institutionalized conflict, as Professor Truman suggested, but there was no way to tell in this study.

But this is not to be taken to mean that Professor Chamberlain's generalizations are wrong. What is suggested rather is that members of the Committee behaved in a variety of ways, depending upon the roles they chose to play. It seems indeed unlikely that we have exhausted the repertory of committee roles; quite the contrary. In hearings on a different issue, under other circumstances, some or all of the members surely might choose the judicial role, some or all of the time. The number and range of roles permitted by the norms of a given committee, the variations in what is acceptable which may exist between committees, are matters for further research.

Other questions should be asked. Why does a legislator choose a particular role, and not another? What is the effect of the subject matter of the hearing upon role selection? Upon the perception of facts, and the willingness of committee members to accept relatively objective data? The records of hearings of congressional committees, readily accessible in embarrassing abundance, can be used extensively to formulate hypotheses based on these and other questions, which might then be tested in more intensive research. State legislatures, which seldom keep verbatim records of committee hearings, nevertheless multiply the opportunities for studies involving close observation, interviews, and other techniques in the arsenal of behavior research. It should not be too much to hope that ultimately some general propositions might be fashioned which would contribute to a viable theory of politics.

⁹⁰ *A Twentieth Century Congress* (cited in note 7), p. 156.

THE ACCOUNTABILITY OF THE BRITISH NATIONALIZED INDUSTRIES*

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Great Britain's giant nationalized industries pose unprecedented problems for a free nation. Are the old governmental forms appropriate? Can the new forms be held accountable to the public? Can public accountability and business efficiency be reconciled? The five key industries, formed out of thousands of former enterprises, employ almost two million workers—almost three times the number of civil servants.¹ Even the strictly "business" problems are unprecedented. In personnel, the transport industry is double the size of American Telephone and Telegraph. Coal is three times the size of General Motors. Admitting that the final answers on accountability had not been found, Herbert Morrison, then Lord President of the Council, well stated the prevailing British attitude: "We are in the early years of novel constitutional and social experiments of great long-term significance, and we can be certain that as experience grows the methods which are in use at present will need to be modified and additional methods will be evolved."²

The problem of public accountability, already challenging because of the new subject matter, commercial enterprise, is greatly accentuated by the organizational form chosen for nationalization: the public corporation. The "public corporation," a combination of the governmental adjective and the business noun, spins restlessly between the worlds of government and business. It evolved from a fear of governmental power on the one hand and business irresponsibility on the other; or, conversely, from the attraction of the independent initiative of private business and the dependent accountability of public government. It understandably became the common denominator, the point of compromise, between the contending political forces which molded the nationalization of Britain's basic industries. The mere removal of the profit motive, some people thought, would enable an equilibrium of accountability to be established short of the full-fledged departmental type of organization.

While the public corporation was going into eclipse in the United States, it was emerging in Great Britain to shine with unprecedented brightness on socialism's brave new world. What the skeptical Congress was trussing up, compara-

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¹ J. H. Smith and T. E. Chester, "The Distribution of Power in Nationalized Industries," *The British Journal of Sociology*, Vol. 2, pp. 275-93, at pp. 275-76 (Dec., 1951).

² "Mr. Morrison's Views on Public Accountability," *Public Administration*, Vol. 28, pp. 176-78, at p. 176 (Autumn, 1950).

tively speaking, in the Government Corporation Control Act of 1945, the optimistic Parliament was unshackling for unparalleled extensions of the public's business. It is true that the new British public corporations are held accountable in ways unknown in the prewar prototypes and that, therefore, both the United States and Great Britain have moved toward *more* control. It is significant, however, that the "more" is much less in Great Britain, where the new pattern is still the "pure" and "authentic" type of public corporation. The board form of government is used exclusively; the function is invariably business; and independence is great, with self-sufficiency the goal. It is paradoxical that the private business form which built Western capitalism has become the public form which is making socialist Britain—and making it when America, at least, seems to be less and less certain of the merits of the new mutation. In contrast, Professor William A. Robson of the London School of Economics and Political Science confidently predicts that this "most important constitutional innovation which has been worked out in Great Britain during the past 50 years" will "play as important a part in the field of nationalized industry in the twentieth century as the privately owned corporation played in the realm of capitalist organization in the nineteenth century."³

No thoughtful Englishman assumed that public ownership automatically guaranteed public accountability. It was taken for granted that something else, something special, needed to be done under socialism to assure sufficient accountability for a democracy so greatly changed in its responsibilities, yet the corporate form of the enterprises interposed special obstacles. Something special, in fact several things special, were done by the Labour government and Parliament—whether successfully or not is, of course, a matter of debate. Parliament is still deeply involved in the search for improvement. Some old controls were unchanged, some readapted; some new controls were added. Electoral and judicial controls remain unchanged. Relations with ministers and Parliament were recast into a new balance. Consumers' councils, joint consultation, and systematic annual reporting were introduced as new devices. These taken together constitute the public accountability mechanism for the new titans of public industry, accorded the freedom of businesses but checked by the control of government—molded neither in the cast of the autonomous government corporation, such as the British Broadcasting Corporation, nor in the cast of the regular government department, such as the Post Office. The BBC plan was too independent in the controversial phase of nationalization and the Post Office plan was too rigid, too subject to day-to-day interference both by minister and by Parliament, for creative business enterprise. Therefore, the nationalized industries were placed in a new in-between relationship with Parliament. Each was made flexible by being created a semi-independent corporation and each was made accountable by being placed under the general surveillance of a minister who could issue directions on general policy without answering to Parliament for day-to-day operations. This, as so often in politics, strikes a necessary but precarious balance, with a constant interplay of forces

³ *Problems of Nationalized Industry*, ed. William A. Robson (London, 1952), p. 53.

consciously or unconsciously threatening the equilibrium. The results of the experiment are worthy of the attention of partisans of democracy the world round.

I. MINISTERIAL CONTROL

Proper responsibility to Parliament is the ultimate key to public accountability itself. But the relation to Parliament, as evolved, was through the minister, who, in addition to his appointive power over the industry boards, alone was given the power to make decisions binding on the industries. He in a real sense picked up the equity interest which passed from the shareholder to the general public.⁴ Ministerial control, therefore, calls for attention first.

The great nationalized industries, in comparison with the prewar public corporations, are of the "public corporations, strong minister type," with less financial independence and more ministerial influence.⁵ They are less free, more controlled. When public ownership was enormously extended, the bonds of accountability were tightened up. In his relations with the industry board, the minister was given several significant powers: appointment of members; issuance of general directions on matters appearing to him to affect the national interest, with its corollary of informal consultation on policy; veto or approval power over specific matters, especially involving finance and development; and solicitation of information.⁶ The purpose is clearly to make the minister statutorily responsible for the general policy of the corporations but to leave the boards responsible for day-to-day administration.

The minister's control over the composition of the directing boards is great, almost complete if he cares to exercise it. He sets the tenure and conditions of appointment, either by private instrument of appointment or by a regulation laid before Parliament. Even the latter, public method ordinarily provides for appointments to be "for such term not exceeding five years as may be determined by the Minister before appointment of such member or, with his consent, *at any time*."⁷ In other words, the ministers may find, and have found, means of removing board members at will, even without stating reasons, although the statutes clearly contemplate removal for specific reasons, such as ill health, misconduct, or absence from meetings. In practice, however, removals for political or other capricious reasons are rare. The Conservative government made no effort to change boards upon entering office in 1951.

One of the techniques of accountability is found in the basis of representation on the boards. In making appointments, the minister is not confined to any pattern of sectional representation. Even the special qualifications for members

⁴ Frank Milligan, "Ministerial Control of the British Nationalized Industries," *The Canadian Journal of Economics and Political Science*, Vol. 17, pp. 164-83, at p. 164 (May, 1951).

⁵ *Ibid.*

⁶ Charles Winter, "Parliamentary, Ministerial and Judicial Control of Nationalized Industries in Great Britain," *Law and Contemporary Problems*, Vol. 16, pp. 670-701, at pp. 684-90 (Autumn, 1951).

⁷ Quoted in Robson, *op. cit.*, p. 36; italics added.

set forth in the laws leave the application of the standards to the minister's judgment. But most important of all, the board member represents the general public; whatever his origins, he may not directly represent labor or management. He may have been chosen precisely because he was a corporation director or a union officer, but, after appointment, he must sell his shares or give up his office. This is in sharp contrast with the French effort to get direct trade-union representation on some boards. The British have deliberately chosen the broadest possible representation, to assure better accountability. Needless to say, theory sometimes breaks down in practice, although even the theory recognizes, and duly considers, that earlier connections may still affect official judgments. A top official in one of Great Britain's largest trade unions, speaking of a union colleague now on one of the national boards, assured the author with obvious relish in 1951: "He can always be depended upon; he knows why he is there!"

The crux of ministerial control, at least in its potentialities, is the power of giving directions of a general character on the performance of the corporations in matters appearing to the minister to affect the national interest. It should be noted that the variables—the generality of the directions and the involvement of the national interest—greatly enhance ministerial discretion. This is a far cry from the clear line of demarcation which the Conservatives originally wanted drawn between the boards and the minister, as indeed the Labour members themselves advocated for the prewar corporations. The Labour government chose for its nationalizing instrument devices which would, in its words, keep the public monopolies from exercising power inimical to the public interest. The minister was given the power—and a most important power it is—to see that national and social policy transcend commercial policy if necessary.⁸

Despite Conservative cries of dictatorial powers, this new weapon has been, chiefly, a stick behind the door. The ministers have the instruments of accountability at hand, but they have exercised them so cautiously that the critics have turned from cries of tyranny to complaints that the ministers are too timid. For the first six years no general directions were given the industries at all. Only one has been issued to date. In actual practice, the ministers deal with the boards on what Herbert Morrison once called the "old boy" basis: through informal relationships, telephone conversations, and unrecorded meetings. They consult and influence; they almost never order.⁹ They have repeatedly resisted Parliamentary pressure to intervene and have avoided the use of general directions, preferring informal influence, even when the minister himself wanted specific action taken.¹⁰ The Labour Minister of Fuel and Power asked the Area Electricity Boards to put into effect the highly controversial Clow Committee plan for seasonal variations in rates, but he did not direct them.¹¹ Indicative of the efficacy of this informal influence, the boards complied with the ministerial preference, against their own judgment, rather than

⁸ Milligan, *op. cit.*, pp. 168-69.

⁹ Acton Society Trust, *The Power of the Minister* (Claygate, 1951), pp. 6-7.

¹⁰ See cases cited by Winter, *op. cit.*, pp. 684-86.

¹¹ 457 *House of Commons Debates*, Nov. 4, 1948, written answers, col. 128.

be formally directed. Ministers have often made clear that they are "in constant touch" with corporation officials, that they meet with the board chairmen when necessary, and that correspondence and conversations are strictly confidential.¹² The Conservative government, in the recent railway fares controversy, asked patience for "working out an arrangement harmoniously" with the British Transport Commission to "obviate the necessity of further direction."¹³ This illustrates the informal means to avoid a distasteful end.

As a result of these practices, accountability procedures are gradually being driven underground in a manner not foreseen when the statutes were passed. Even sympathetic critics are beginning to feel that the ministers are finding means of circumventing Parliamentary scrutiny of their actions concerning the nationalized industries. As Ernest Davies, M.P., has said: "They may refuse to answer at the despatch box for the influence they exercise over the dinner table."¹⁴ They answer only for that for which they are responsible. By not using the directional power, they escape having to answer. The boards are willing to collaborate because they want to preserve their independence, and they look upon directions as evidences of failure. Directions must be published in the annual reports; informal influences are recorded nowhere. As a result, "this Damocles sword swings above the Board table and need not fall to be effective."¹⁵ After the boards have yielded to influence in this manner, the minister feels he must defend the board when attacked. Before Parliament, therefore, he may be speaking secretly as judge in his own case. Such informal integration, with formal compulsion reserved for rare occasions, has much to be said for it, however. It places less strain on the minister-board relationships, better preserves board independence, and is likely to lead to more actual policy integration in the long run. The risks do not appear excessive: the minister is, of course, a member of the government in power. Whenever the board thinks the issue is fundamental enough to make the minister face Parliament on the question, it has only to resist informal agreement and force the issuance of a formal order. This struggle for balance between compulsion and persuasion is another manifestation of the central accountability problem—the reconciliation of two apparently inconsistent principles: commercial independence and integration with national policy, social and economic.¹⁶

After six years of demonstration that ministerial guidance, if exercised at all, could be exercised through the mere knowledge of the possible use of the power to issue directions, the Conservative government in April, 1952 dramatically broke the reserve-power, remote-control tradition. The Minister of Transport directed the British Transport Commission to suspend its proposed new

¹² 452 *H. C. Deb.*, June 17, 1948, col. 643.

¹³ 499 *H. C. Deb.*, April 28, 1952, col. 1037.

¹⁴ Ernest Davies, "Ministerial Control and Parliamentary Responsibility of Nationalized Industries," in *Problems of Nationalized Industry* (cited in n. 3), p. 114.

¹⁵ *Ibid.*, p. 111.

¹⁶ Herbert Morrison, "Public Control of the Socialised Industries," *Public Administration*, Vol. 28, pp. 3-9, at pp. 4-5 (Spring, 1950).

charges scheme intended to become effective May 1 on railways outside London. This was the first time a minister had used the full power given him by the nationalization statutes. Political bedlam broke loose. The Conservatives defended the use of the weapon they professed so greatly to fear in earlier days. The Labour members attacked the use of the clause they themselves inserted in the statutes. One side hailed the defense of the traveling public as a courageous blow for a stable national economy; the other side called it a cheap political trick, a threat to board autonomy, and a preposterous move to set railway fares in Parliament itself.

When the Passenger Charges Scheme proposed by the British Transport Commission became a volatile subject in Parliament, a month before the jarring direction was issued, the Minister of Transport showed great reluctance to use the powers the Labour members kept calling to his attention. In fact when asked to employ the general directional power under Section 4 of the Transport Act of 1947, he finally said: "I am advised it would not be proper for me to issue directions such as those to which my hon. and gallant Friend refers."¹⁷ But in less than a month he reversed himself and issued the direction. Prime Minister Churchill made a statement to the House of Commons and set aside a full day for debate on this question requiring the "urgent attention of Parliament."¹⁸ The real reason for the reversal of the Minister's judgment is not likely to be known. Herbert Morrison insisted that only the Conservative losses in the county council elections had intervened.¹⁹ The government contended that the Minister's earlier denial of power referred only to the normal operations of the act, not to its "overriding power."²⁰ Still another interpretation arose from the statement of the Parliamentary Secretary, Ministry of Transport, who said the debate showed agreement on something wrong with the Transport Act of 1947, against the consequences of which the government had acted wisely.²¹ This clearly was paving the way for the denationalization battle ahead for road haulage.

But whatever the reasons for the direction, the ensuing debate threw a searchlight on this instrument of public control. Who was now responsible? Clearly not the British Transport Commission, whose charges scheme had been set aside. The former Minister of Transport under the Labour government said the direction meant the "overthrow of one of our greatest public servants, Lord Hurcomb," Chairman of the British Transport Commission.²² Was, then, the Minister of Transport to be responsible for fares hereafter? The Prime Minister said no, the existing powers of the Minister suffice to protect the public. Was the Prime Minister himself to be responsible? Mr. Morrison said: "The Prime Minister himself brusquely overrode the Minister of Transport and

¹⁷ 497 *H. C. Deb.*, March 17, 1952, col. 1916; see also March 10, cols. 1016-19.

¹⁸ 499 *H. C. Deb.*, April 21, 1952, col. 38.

¹⁹ *Ibid.*, col. 39; April 28, 1952, col. 1049.

²⁰ *Ibid.*, April 28, 1952, col. 1035.

²¹ *Ibid.*, cols. 1163-64.

²² *Ibid.*, col. 1080.

ordered him," with or without Cabinet decision, to issue what the Minister "would never have dreamed of issuing."²³

The unhappiness of the Labour members was worsened by this almost ironical demonstration of the two-edged character of the directional power which they themselves gave the minister over the nationalized industries. The Labour party's efforts to show wherein the direction exceeded the letter or spirit of the statutes proved feeble and futile. Yet the party could not oppose the Parliamentary motion to uphold the Minister's direction against the railway fares without being in the untenable position of showing less interest in low fares than the Tories. This prompted Mr. Morrison to observe sagely that competition for public good will on small matters such as fares could create an unwholesome "political Dutch auction" in Parliament, with everyone trying to outdo the others on "I got this, that and the other for you."²⁴ The use of the directional power of the minister to enforce conformity to overriding national policy was also proved a weapon not monopolized by the national planners: at least two Conservatives were jubilant over the Minister's direction because, as they said, "there are certain social considerations" and the boards "are not able to see the whole economic position of the country."²⁵

As could have been predicted, the first exercise of the dormant directional power also prompted someone to advocate going all the way, returning to the Post Office system of direct responsibility.²⁶ What the long-range effects of this precedent will be, no one can foretell: whether the directional power will be more commonly used to keep minister-board relations out in the open, subject to Parliamentary debate, or whether it will be shunned as the cause of avoidable political headaches.

Prediction is clouded by the Conservative government's choice of an unfortunate time and subject for a test case. The proximity to the county council elections raised unnecessary political suspicions. Furthermore, among the decisions of the nationalized industries, the setting of railway fares is least likely to be subject to abuse: they must be approved after extensive hearings by the quasi-judicial Transport Tribunal. The merits of the use of this reserve power are, in some respects, therefore, more uncertain than ever. The power of general direction remains, nonetheless, the chief means by which the minister can exert influence over the boards, choosing his own preferred balance on the scale between persuasion and compulsion.

Another important ministerial power is that of the veto, or approval power, over a variety of specific board actions: the framing of programs of reorganization and development calling for large capital outlay; schemes for training, education, and research; form of accounts; and, with Treasury approval, the issuance of new stock. With Treasury approval, the minister may also give directions on the creation and management of reserve funds, redemption of stock, and disposal of surplus revenue. Other special powers are conferred by

²³ *Ibid.*, col. 1049.

²⁴ *Ibid.*, col. 1056.

²⁵ See remarks of Messrs. McAdden and Harris, *ibid.*, cols. 1103, 1113.

²⁶ Norman Cole, *ibid.*, cols. 1091-92.

statutes for particular industries; for example, he may direct the British Transport Commission to discontinue any of its activities or dispose of any part of its business.²⁷ In these ways the minister may determine the broad lines along which the boards are to proceed in vital matters of internal administration. These powers, for example, enabled the Minister of Supply, pending denationalization, to direct the Iron and Steel Corporation not to alter its financial structure or management.²⁸ Specific directions on financial matters, unlike general directions, have been issued by ministers on many occasions. In other words, the minister does have a great deal of financial control, although it is chiefly of an approval rather than initiatory character.

To implement his other powers, the minister may also require information from the corporations. This may, in general, be designed to serve the minister's own official purposes, to aid Parliament, or to prescribe the form of the annual reports.

II. PARLIAMENTARY CONTROL

The ministers are in turn responsible to Parliament, and it is Parliament to which we must look for ultimate control, next to the people themselves. Yet every political scientist has been saying for decades that Parliament has neither the time for more duties nor the expertness for different duties. Nevertheless, the nationalized industries inevitably load on Parliament more duties and different duties. Inevitably also, Parliament tries laboriously to meet these new obligations with the old techniques of control: with questions directed to ministers under whom the industries operate; with debates; and with inquiries and reports of select committees—yet with full recognition that it must, by its own self-denying ordinance, control with a loose rein and in a different spirit.

Questions. The technique most discussed, most jealously guarded by Parliament, and probably most effective to date, is the question time. This time-honored practice has undergone some change to accommodate the new status of the public corporations. Ministers answer questions, of course, only on matters for which they are responsible. They are not responsible for day-to-day administration of the corporations. Therefore, questions on the nationalized industries are more restricted than those on the regular government departments. Questions asked concerning the Post Office, for example, always number more than those for any of the corporations.²⁹

The overriding consideration is again the balance between the minister's general control and the board's day-to-day management. The question is often asked: How can the House of Commons exercise control over the administration of these industries when the admissible questions extend only to the minister's responsibility, which excludes day-to-day administration?³⁰ Such a question

²⁷ Acton Society Trust, *The Power of the Minister* (cited in n. 9), Appendix, pp. 16–20.

²⁸ 498 *H. C. Deb.*, April 9, 1952, col. 2731.

²⁹ Acton Society Trust, *Accountability to Parliament* (Claygate, 1950), p. 6.

³⁰ See Kenneth Bradshaw, "Parliament and the Public Corporation," *Cambridge Journal*, Vol. 3, pp. 707–26, at p. 713 (Sept., 1950).

refuses to acknowledge the philosophy behind the nationalization statutes. The corporations are deliberately removed from meticulous control. But, even so, the extent of restriction on Parliament depends on what constitutes an acceptable question for ministerial answer. Acceptability is clouded by several factors: uncertainty as to what is a matter of day-to-day administration; uncertainty as to the Speaker's standard of "public importance" in accepting questions; uncertainty as to what the minister can and cannot do, as well as whether he is doing it directly or through influence on others; and, finally, uncertainty as to whether the minister will answer the question put to him, even if eligible on all counts.

Originally, the minister determined eligibility of questions; in case of doubt, the Speaker asked the minister whether he considered himself responsible. Later, the Speaker ruled that once the minister refused to answer a question, none of the same class of questions would be accepted.³¹ This ruling held off the curiosity and legitimate interest of members too much, they thought. Dissatisfaction led to the Speaker's modification of his decision in June, 1948. He agreed to direct acceptance of questions about matters on which information had previously been refused "provided that, in my opinion, the matters are of sufficient public importance to justify this concession."³²

This by no means put an end to the controversy about eligibility of questions. Debates show a spectrum of opinion which knows no party lines. Some members of Parliament apply the test of degree; some the test of number of people affected; some the number of M.P.'s interested; some policy versus administration; some "intrinsic importance." One member thought he would not have an appropriate question if his train were an hour late one morning, but he would if it continued late every day for a month. Another insisted his question on an electricity breakdown should not be refused, because many Sunday dinners were spoiled in a large part of Southern England. Could something affecting millions of people be a detail of day-to-day management? Another did not think consideration of a closed railway station should be ruled out, particularly since he had a petition bearing 800 signatures.³³

What ministers have actually answered and refused to answer is almost as diverse as the opinions expressed by members in the House of Commons. One minister answered many questions on dirty coal; another refused on grounds this was a management problem. A question on cheap fares on the railways was refused at one time but the issue of railway fares later led to the greatest of all controversies about ministerial and Parliamentary control. Questions on industrial disputes are usually refused. Likewise, even matters of information, such as on staffs and salaries, have been refused despite the minister's clear legal power to demand such information.

³¹ History reviewed in 508 *H. C. Deb.*, Dec. 5, 1952, col. 1994.

³² 451 *H. C. Deb.*, June 7, 1948, col. 1636.

³³ Acton Society Trust, *Accountability to Parliament*, p. 21; see Sir Edward Boyle's standard of "intrinsic importance" and number of interested M.P.'s, 508 *H. C. Deb.*, Dec. 5, 1952, col. 1997.

Petty though these arguments and decisions may seem, they penetrate to the core of the accountability problem because they raise the question of the distribution of power among corporation, minister, and Parliament. The minister's acceptance of a question which calls for his intervention, where no intervention was countenanced before, actually changes the autonomy of the nationalized industry. His acceptance of a question of information calls for more staff, more paper work, and more centralization. The real difficulty has been that time is too short and that most of the questions do not relate to policies determining the success or failure of the industry. Questions on details, on abuses, and on constituents' complaints are most popular.³⁴

That nothing much, short of abandonment of the public corporation idea itself, can be done to improve the question technique is made clear by the first report of the Select Committee on Nationalised Industries, October 29, 1952. After holding seventeen meetings and hearing much testimony from members of the House of Commons and from board chairmen, the Committee made only two minor proposals: (1) that, in the hope of setting a slightly more liberal standard for placing questions on the Order Paper, "in the case of questions which are not obviously matters of repetition or matters of detailed administration the question should be allowed to appear"; and (2) that consideration be given reducing from three to two the number of questions a member may ask for oral reply each day.³⁵

Those critics who wanted to open wide the eligibility of questions, to include inquiries on administrative details, received no solace. On the contrary, the Committee considered the more generous interpretation and firmly rejected it: the nationalized industries are, the report said, "constituted on different lines from the usual civil department" and "it is desirable that they should not be unduly hampered by external interference."³⁶ This conclusion was unanimously supported.³⁷ Philip Noel-Baker, Committee member and former Minister of Transport and Minister of Fuel and Power, said the case made in the testimony against detailed questions "is overwhelming." From his wealth of experience, he drew the conclusion that appropriate questions are "a very powerful instrument of public control."³⁸ The chairmen of the nationalized industry boards vigorously contended that the price of detailed Parliamentary control would be less managerial initiative and more centralization. As Lord Citrine, Chairman of the British Electricity Authority, put it, if Parliament exercises detailed control, "we should get the Civil Service mentality; we would never make any mistakes, but by Jove, what we did would take a devil of a long time."³⁹

Debates. Accountability through debate extends to broader coverage than Parliamentary questions but efficacy is severely hampered by the shortage of

³⁴ Acton Society Trust, *Accountability to Parliament*, pp. 7-8, 14.

³⁵ Select Committee on Nationalised Industries, *Report*, Oct. 29, 1952 (*House of Commons Papers*, 332, 1951-52), p. ix.

³⁶ *Ibid.*, p. viii.

³⁷ 508 *H. C. Deb.*, Dec. 5, 1952, col. 2002.

³⁸ *Ibid.*, col. 2004. ³⁹ *H.C. 332, op. cit.*, p. xxii.

Parliamentary time, the lack of technical competence, and the dominance of the political party in making final decisions. Debate need not be restricted to general policy; it may relate to questions of day-to-day management and local problems, subject to the Speaker's, rather than the minister's, opinion of propriety for discussion. An exhaustive study published by the Acton Society Trust showed that never had more than 31 hours a year been given debate on any nationalized industry; that 12 to 15 hours was more common; and that "it is very unlikely that Parliament could debate all major nationalized industries once a year."⁴⁰

The two most important occasions for debate are the Supply Vote of the minister supervising the nationalized industry and the motions taking note of the annual reports of the industries. For the five-year period ending October, 1950, eleven supply debates, usually lasting about six hours each, were held on the nationalized industries: six on civil aviation, two on coal, one on the fuel and power industries, and two on transport. However, other debates on supply days tend to crowd out the nationalized industries because the opposition has to choose among twenty-five departments and a host of grant-in-aid agencies.⁴¹ Debate on the annual reports is an encouraging accountability trend. Parliament has important information before it, but the discussion is fragmentary, discursive, and long after the event. It is common for the debates to occur a year or more after the closing date covered by the reports.

Other opportunities for general debate can be made by the government in laying down a substantive motion or by the opposition in attempting to amend the Queen's speech.⁴² Occasions for shorter debate are found on the motion for adjournment, granting from a half hour to three hours for discussion of some action taken or failed to be taken; on a motion to approve or annul an order of a minister supervising an industry; on proposed modifications of nationalization laws; and on private bills submitted by the corporations.⁴³

The whole debate technique as an instrument of control would be greatly improved if it could be kept above party controversy, a vain hope at the present stage of socialization. Illustrative of the partisan approach, when the Labour minister in 1949 made a motion worded as innocuously as possible, "That this House take note of the First Annual Report, etc." of the Transport Commission for 1948, merely as a peg on which to hang the debate, the opposition moved at once to amend by adding, "but regrets the loss sustained in 1948, the further marked deterioration disclosed in 1949, the mounting cost and the increase

⁴⁰ Acton Society Trust, *Accountability to Parliament*, p. 15.

⁴¹ Bradshaw, "Parliament and the Public Corporation" (cited in n. 30), p. 715. Mr. Crookshank, Conservative leader in the House of Commons, cites seven debates in 1950-52. See Select Committee on Nationalised Industries, *Report*, July 23, 1953 (*H.C.* 235, 1952-53), p. 115.

⁴² See 457 *H. C. Deb.*, col. 683 *et seq.*

⁴³ Acton Society Trust, *Accountability to Parliament*, pp. 18-19; Winter, "Parliamentary, Ministerial and Judicial Control of Nationalized Industries in Great Britain" (cited in n. 6), pp. 679-81, also gives examples.

in fares and rates so detrimental to the public."⁴⁴ It is not hard to imagine the enlightenment which followed. Nationalization will have to gain the respectability of age before accountability in the public interest can replace control in the partisan interest.

Parliamentary Committees. Parliament provides control also through the scrutiny of its existing committees and its power to appoint others to investigate and report. For the nationalized industries, this has been, until the present session of Parliament, more potentiality than reality. The new industries, like the old departments, are placed under the scrutiny of the Committee on Public Accounts. That committee, however, is deprived of expert aid for its new task. It cannot use the Comptroller and Auditor General and his staff because the socialized industries have special commercial auditors named by the minister. Already harnessed with an impossible task and deprived of expert assistance, the Committee on Public Accounts is virtually helpless. The Committee on Estimates is even more ineffectual. It has no opportunity for control unless a subsidy is involved, as in the case only of the three airways corporations. There is no means of control if the same public stake is created in some other way: by a price increase or by a government loan to the industry.⁴⁵

Despite the debates, the questions, and the committees, the accountability of the nationalized industries to Parliament is not thoroughly pleasing to anyone. Techniques differ from those of long-standing use for government departments only in that they are more restricted in application. They are less extensive, therefore less commonly employed, and less susceptible to Parliamentary use of expert assistance. It is not surprising, therefore, that some new remedies have been sought. The most commonly proposed is a select committee especially designed to supervise the nationalized industries. Herbert Morrison, chief architect of nationalization, has objected to this scheme as destructive of initiative and overawing for non-political board members. Instead, he favors a periodic review, at seven-year intervals, somewhat like the reviews of the British Broadcasting Corporation, "not so much of a technical character but broadly, and to make recommendations on policy and structure."⁴⁶ This would provide the needed control and yet not interfere with commercial efficiency. Other proposals range from the use of quasi-judicial bodies, or House of Lords supervision, to the creation of a full-fledged industrial parliament.

Immediately after the Conservative government assumed office in 1951, it named a select committee "to consider the present methods by which the House of Commons is informed of the affairs of the Nationalised Industries, and to report what changes, having regard to the provisions laid down by Parliament in the relevant statutes, might be desirable."⁴⁷ The first report, made a year later, did more, as already noted, to confirm existing methods of accountability than to suggest new ones. The second and final report, July 23,

⁴⁴ 470 *H. C. Deb.*, Dec. 1, 1949, cols. 1343, 1354.

⁴⁵ Bradshaw, *op. cit.*, pp. 718-19.

⁴⁶ 479 *H. C. Deb.*, Oct. 25, 1950, col. 2807.

⁴⁷ *H.C.* 332, p. iii.

1953, proposed the first major change in accountability devices since the inception of nationalization. It recommended, as so often proposed, the appointment of a Committee on Nationalised Industries in the House of Commons "for examining the reports and accounts of, and for obtaining further information as to the general policy and practice of the nationalised industries."⁴⁸ The objects and limitations were further explained as "that of informing Parliament about the aims, activities and problems of the corporations and not of controlling their work."⁴⁹ The Committee, to consist of not more than twenty-one members nominated at the beginning of each session, will be empowered to appoint subcommittees and "to send for persons, papers and records, and to report from time to time."⁵⁰ Taking over the functions of the Committee on Public Accounts so far as the industries are concerned, the new Committee will have a permanent officer "of the status of the Comptroller and Auditor General," not removable except by an address from each house of Parliament, who will peruse the reports and accounts and call the Committee's attention to matters deserving examination. At least one professional accountant and other needed staff will assist.⁵¹

Whether this proposed mechanism threatens the hoped-for balance between business and governmental methods depends largely on the terms of reference of the Committee. Exactly what they are to be is by no means clear. Some *Report* authors and witnesses wanted to emphasize information, others investigation; some finance, others policy; some overall aims, others managerial efficiency; some highly restricted terms of reference, others very broad terms. The area of financial accountability illustrates the ambiguity. The analogy to the Comptroller and Auditor General and the Committee on Public Accounts is repeatedly used, yet the machinery proposed falls far short of such powers financially, on the one hand, and extends to an entirely new area, policy, on the other hand. The new Committee's staff is to examine published accounts done by the statutory auditors, not themselves to audit directly in the industries. But while its effective powers of financial investigation are much less than those of the Comptroller and Auditor General's staff, the Committee might usefully, the *Report* says, extend the field of the auditors' reports "to deal with broad policy issues." Several witnesses warned that accountants should not be turned into policy scrutineers. The *Report* also cautiously commends—but no more—the suggestion that the corporations might well prepare statements of anticipated revenue and expenditure, so the new Committee could compare plans with actual outcome.⁵² The whole tenor of the *Report* appears to reaffirm the commitment to avoid Parliamentary interference in day-to-day management, but the practical hazards are graphically presented

⁴⁸ *H. C.* 235, p. ix.

⁴⁹ *Ibid.*, p. xii. The word "control" here presumably connotes meticulous supervision, contrasting with the use of the term throughout this article as, chiefly, that part of the accountability relationship exercised by the body to which accountability is owed, regardless of degree.

⁵⁰ *Ibid.*, p. x.

⁵¹ *Ibid.*, pp. xi, xii.

⁵² *Ibid.*, p. xi.

in the testimony before the study committee. Repeated illustrations of "policy" turned out to be details of management in the view of others (e.g., wages, prices, manpower, capital development, depreciation, closing branch railway lines, diesel vs. steam power). This gives added weight to the warning of Lord Reith, former head of the BBC, that this is really "a sort of institutionalization of the Parliamentary Question, the very thing Parliament denied itself."⁵³

However this new device may work out in actual practice, if attempted, it answers persistent demands that something more be done to insure accountability. It provides another bit of machinery—to be used in ways yet to be forged by personalities, practical politics, and a bipartisan sense of needed balance. The intention of digging deeply and continuously into the affairs of the corporations is obviously not present. It will be surprising if the independence of the corporations is seriously affected or their day-to-day management interfered with in any significant way. In fact, the passage of time has produced noticeable caution and growing reservations. During a recent six and one-half hour debate on the new plan, Mr. Crookshank, Lord Privy Seal, speaking for the government, embraced the committee idea but asked that existing rights of ministers not be touched; the way be kept open for a joint committee with the House of Lords; the size be reduced, with no subcommittees; complete evidence not be published; attention not extend to future plans and programs; and, most important of all, no steps be taken at the outset to provide a permanent officer, such as the Comptroller and Auditor General.⁵⁴ The chairman of the Select Committee, Mr. Assheton, expressed keen disappointment in this great dilution and frankly said he did not think his committee's proposal would be "worth very much" when compromised at "an absolutely key point"—the naming of a permanent officer.⁵⁵ All this meant, clearly enough, that the government now responsible for the industries did not want to risk too much control. The adjournment debate, inconclusively airing familiar hopes and suspicions, gave some point to Miss Herbison's conclusion: "I am certain that, in the mind of a great many of those who support the idea, there are fears that ultimately the setting up of the committee would not be a good thing."⁵⁶

Whatever is done, a stabilizing influence exists in the fact that all proposals for accountability changes have heretofore failed to polarize party allegiances. The pending scheme has aroused some latent Labour fears and Mr. Morrison has represented his party as generally opposed, but the plan itself bears the unanimous endorsement of the five Labour and six Conservative members of the Select Committee.⁵⁷ Sir Herbert Williams, a Conservative member of the proposing committee, illustrated the customary evolution when he confessed: "I started off on the assumption that we ought to take the lid off, but evidence

⁵³ *Ibid.*, pp. 75ff.

⁵⁴ 523 *H. C. Deb., Daily Report*, Feb. 8, 1954, cols. 841-44.

⁵⁵ *Ibid.*, cols. 865-66.

⁵⁶ *Ibid.*, col. 918. On the same date, Feb. 8, 1954, *The Times* (p. 7) editorially advised against strapping on the harness of government departments, which could possibly give accountability and information, but never efficiency.

⁵⁷ *Ibid.*, col. 859.

convinced me that to do so would produce an intolerable situation."⁵⁸ On the other hand, Aneurin Bevan's *Tribune* has criticized the Labour party for not doing more to guarantee the fullest accountability of the boards to Parliament through the minister.⁵⁹ Some perfection of the techniques of Parliamentary control is guaranteed by bipartisan concern and by common party experience. We are here witnessing the delicate readjustment of an old political mechanism to a challenging new problem.

If Parliamentary control was somewhat weakened when extended to the nationalized industries, it was at least supplemented in an effort to make adequate the *total* pattern of public controls. The supplementation came in three ways: special representation for consumers, consultation for employees, and special informational sources for everyone involved in public control.

III. CONSUMERS' COUNCILS

As the nationalized industries are great state monopolies, replacing the so-called sovereignty of the consumer, some special check on the new Titans of Government seemed to be in order. Parliament, therefore, created a consumers' council or system of councils in each of the nationalized industries, ranging from the simplicity of a single national council, as originally provided in iron and steel, to the complexity of 15 area consumer councils, with from 70 to 80 local councils, in electricity.⁶⁰ The members come from all walks of life, appointed by the minister for each industry on the basis of representation of the chief consumer interests involved, with from five to thirty persons on each council. Although strictly advisory, the councils have the task of serving as watchdogs of the consumers' interests in all matters of charges and services, with power to make recommendations to the minister. They may act at the urging of a consumer, on their own initiative, or at the request of the minister. Remedial action lies with the minister, who may, as we have seen, give directions to the industry. The councils, therefore, are empowered to raise the right questions, questions of the broadest scope, but their advisory function leaves the finding of the right answers to the amenability of the boards, or to the minister in the final analysis.

Despite some spottily distributed successes in consumer representation and in the settlement of grievances, the consumers' councils do not inspire much confidence among consumers. They have two serious defects: they are not sufficiently independent of the government and they are too little known and used.

They need to be independent of the industry if they are to give the consumer a vigorous voice; but, on the contrary, they are appointed by the minister, occupy offices furnished by him or the industry, use staff similarly supplied, have nationalized industry representatives as members, stand at the mercy of the government for information, and sometimes find themselves being used by the government to give testimonials for some unpopular policy. Worse

⁵⁸ 508 *H. C. Deb.*, Dec. 5, 1952, col. 2006.

⁵⁹ *The Times* (London), June 19, 1953, p. 3.

⁶⁰ For more complete analysis, see Eldon L. Johnson, "Consumer 'Control' in British Nationalized Industries," *Journal of Politics*, Vol. 15, pp. 88-113 (Feb., 1953).

yet, they have no research or investigating staffs; they cannot employ their own experts for independent study. It is not surprising that many critics have charged that the councils are merely "stooges," securely "in the pocket" of the boards; and that they have taken a strange posture deferring to the industry rather than to the consumer.⁶¹ In the few instances in which the minister has been forced to arbitrate a showdown between a consumers' council and a nationalized industry, he has always taken his stand with the industry.⁶² This is itself a commentary on the weight and independence of the councils.

No one is pleased with the use to which the councils are put by consumers, by ministers, or by the nationalized industries. Despite increasing publicity efforts by the councils, members of Parliament still complain that they get too many letters which should be going to the councils. When Lord Hurcomb, Chairman of the British Transport Commission, answered 1800 Parliamentary inquiries in one year, he surely answered some which should have gone first to the consumers' council for transport.⁶³ Other deterrents to council use are the absence of any satisfactory organization of general consumer interests and, also, plain consumer indifference. To make matters considerably worse, all the councils have placed restrictions on their communication with the press and the public.

One has to say, in summary, that the consumers' council device has enjoyed only modest success.⁶⁴ If, however, one stops trying to make the councils a David against Goliath, which they cannot be, he must conclude that they may supply an alternative test of the public interest, provide suggestions and cautions for policy-making, and capitalize on consumer interests as they become organized. Much of each council's strength lies in the quite undramatic business of keeping the consumers' interest in the forefront of the attention of the nationalized industry or its supervising minister, and in serving as a symbol and a constant reminder of a goal always to be sought.

IV. JOINT CONSULTATION

Internal as well as external control becomes a major type of public accountability in a socialized society, because an increasing number of citizens are state employees. Industrial democracy is a primary goal.⁶⁵

⁶¹ Editorial, "The Consumer's Voice," *The Times* (London), July 22, 1950, p. 5.

⁶² See Central Transport Consultative Committee, *Annual Report*, 1950 (H. C. 126, 1950-51), pp. 5-7; Eastern Electricity Board, *Third Report and Accounts*, 1950-51 (H. C. 272, 1950-51), p. 17; British Electricity Authority, *Fourth Report and Accounts*, 1951-52 (H. C. 262, 1951-52), p. 79; The Gas Council, *Third Report and Accounts*, 1951-52 (H. C. 309, 1951-52), p. 5.

⁶³ British Transport Commission, *Report and Accounts*, 1950 (H. C. 210, 1950-51), p. 7.

⁶⁴ See suggested reforms through a Central Consumers' Council, armed with a research staff, for all the industries together, P. Sargent Florence and H. Maddick, "Consumers' Councils in the Nationalized Industries," *Political Quarterly*, Vol. 24, pp. 259-71 (July-Sept., 1953). Other proposed improvements are discussed in Johnson, *op. cit.*, pp. 107-11.

⁶⁵ For more complete treatment see Eldon L. Johnson, "Joint Consultation in British Nationalized Industries," *Public Administration Review*, Vol. 12, pp. 181-89 (Summer, 1952).

Following this philosophy, the authors of nationalization in Great Britain wrote into their statutes the guarantee of joint machinery, between management and labor, not only for collective bargaining but also for consultation on safety, health, welfare, training, efficiency, and other matters of mutual interest. This is, however, a far cry from worker control; instead, it is merely worker participation in control. How far short this falls of management abdication is shown by the fact that the board of the nationalized industry is left with the initiative in the establishment of a consultation agreement, it is the sole judge of which employee organizations are to be dealt with, and it, not the workers, assumes full executive responsibility.

Does joint consultation concern itself with significant matters? The answer is that it certainly may. The power is there. No matters are barred, not even affairs of finance, as is so often the case in private industry. But while the untrammelled opportunity is there, obstacles to adequate use are numerous and formidable. There are trade-union fears of competing loyalties; worker apathy, as apathy afflicts all democracy; management desire to be secretive rather than sharing; and worker ignorance of technical matters and preoccupation with welfare rather than efficiency. Yet, joint consultation does add to the limitations on socialist instruments, or to public accountability, in two ways: by the power to influence policy and by the power to withhold consent. Consultation cannot make policy in the sense of taking responsibility for it, but it can influence policy. In addition to this influence, joint consultation has an important role in determining what *not* to do. Management, in all the industries, has the unquestioned power to make the final decision, but no intelligent decision is made in a vacuum. It is made with due regard to alternatives. Joint consultation is an effective means of determining such alternatives and the relative price to be paid for each in human values.

Industrial democracy, like other kinds, calls for a system of representation when the organization is large. That presents another critical problem in the British scheme. Representation on the worker side always, as a matter of fact, comes through the unions, but the unions are often quite unfitted for this task. There are too many of them, and they are neither functionally nor geographically organized to provide effective worker representation. A study recently published reveals that there are more than fifty independent trade unions to be dealt with in the five nationalized industries, with no industry having less than fifteen. Furthermore, most of the unions are chiefly concerned with membership in *private* industry and only secondarily in public industry.⁶⁶

Even if all problems of representation could be solved, the difficult question of communication would remain—communication between the representative and the represented. This is a great unsolved problem and a serious handicap. No one is made responsible for internal communication of this kind. The constitutions of the joint consultation councils do not bother to provide either the means or the objective of "reporting back" to the employees.⁶⁷

⁶⁶ Acton Society Trust, *The Future of the Unions* (Claygate, 1951), pp. 2-3.

⁶⁷ Hopeful improvement is described in the 1951-52 *Report*, British Electricity Authority (cited in n. 62), p. 69.

Despite these difficulties, joint consultation as established in the nationalized industries does provide a wide-open door of opportunity for worker participation, and internal accountability. The real problem is one of utilizing the opportunity afforded. Neither management nor labor is making the most of its possibilities. This weapon of control is still clumsy and crude, but it is taking shape, with a consciously held purpose in mind. It recognizes the creativity of employees.

V. ANNUAL REPORTS

Still another means of assuring public accountability in the nationalized industries is the common requirement of annual reports, made to the minister and referred to both houses of Parliament. Accountability cannot exist without information. The annual reports for each industry are intended to provide much of that information. Each report supplies a veritable storehouse of facts and figures which would have been quite unobtainable in the days of scattered, private ownership. Nevertheless, two careful British studies of the reports conclude that they still leave much to be desired. While informative, with an impressive quantity, they lack quality at many key points, one of the studies concludes. Despite the statistics, accounts, graphs, and descriptive coverage, the reports do not sufficiently deal with the factors which make for success or failure, or with trends and improvements in efficiency. They can hardly be said to be strictly objective. It is not surprising that they put the industry's best foot forward, avoiding failures and deficiencies.⁶⁸

The reports are most cautious, even reticent, about the boards' external relationships. They usually avoid discussing relations with Parliament and with the minister and say only tantalizingly little about the consumers' councils and employee relations.⁶⁹ This has a paradoxical effect: what was intended as a separate accountability device, supplying needed information, limits its own usefulness by avoiding information on the other accountability mechanisms. This self-limitation flows from the boards' desire to avoid outside interference. That is understandable, but the omission raises the question as to whether more information on the vital accountability relationships should not be made generally available through some source independent of the industries.

The second British study of the annual reports harshly concludes that they are badly edited, unattractive to the general public, given to "window-dressing," unclear on major issues and on steps toward improvement, and "neither detailed enough for the specialist nor sufficiently concise and clear for the layman."⁷⁰ These strictures must be judged against the realization that the acts of nationalization do not indicate the function of the reports, uncertainty exists as to whether the proper audience is the general public or the government, and Parliament seems content to go on without the kind of information it most needs.

⁶⁸ A. H. Hanson, "Report on the Reports: The Nationalised Industries, 1950-51," *Public Administration*, Vol. 30, pp. 111-30, at pp. 177-21 (Summer, 1952).

⁶⁹ *Ibid.*, p. 113.

⁷⁰ Acton Society Trust, *Relations with the Public* (London, 1953), pp. 13-14, 18.

The release of the annual reports is the occasion for news and editorial comment and for Parliamentary debate on policies and shortcomings. In at least one case the complete and somewhat formidable report has been digested and reproduced for wide citizen appeal. These are the raw materials of accountability. At least, such is the intention—an intention which needs, and can easily have, further implementation. Perhaps, as has been implied, the boards are still too much impressed by their business character and too little aware of their public obligations.⁷¹

CONCLUSIONS

After seven years of experience, all sections of British political opinion are still committed to the public corporation, genuinely removed from meticulous governmental control, as the chosen instrument for operating the giant industries taken over by the public. Confidence that the right general path is being followed is as strong as the conviction that the desired balance has not yet been attained. The British have been hammering out a significant kind of accountability: power to control decisively when need be, but little use of it; power to act at the broad, vital spots rather than on the minutiae; power of accountability made effective by its presence rather than by its exercise. The unused power to block an artery may be more effective than the daily use of pinpricks on the capillaries. This is the theory of ministerial and Parliamentary control: the power to issue general directions and the power to investigate and legislate.

Yet several questions remain. Since the big weapons are rarely used, does accountability, in practice, give control over minor rather than major matters and, therefore, produce the worst of both worlds, instead of the best so confidently expected by the corporation advocates? Or does this indicate major satisfactions and minor irritations, with the general policy merely having no practical meaning except in its specific manifestations? Can business independence and the interjection of social or welfare considerations be reconciled? Yet without such interjection, what is the point to public ownership? If such considerations, irrelevant for commercial purposes, are introduced, isn't the corporation's policy *political* and, therefore, properly subject to careful Parliamentary scrutiny? Can the development of the confidential relationship between minister and board, with surreptitious ministerial intervention, be permitted without close Parliamentary control? Does the public corporation really force a choice between accountability and efficiency? These difficulties all stem from an attempted merger of the benefits of that which is private and that which is public. To what end is accountability exercised? If exercised to achieve what the public wants, the standard of success is likely to be tentative, shifting, and sometimes contradictory, less simple than the old measure of profit in the private sector. The merger merely recasts the familiar struggle: in this case, for balance between liberty to achieve one desired purpose, business initiative

⁷¹ *Ibid.*, p. 28.

and efficiency, and authority to achieve another, responsibility to the public and conformity to its policies.

Although the proposed new Committee on Nationalised Industries could revolutionize accountability relationships, constantly "digging up the roots" and "keeping under the harrow," that prospect is quite unlikely. If established, the committee may complicate minister-board relations by supplying a dual channel of communication with Parliament, to say nothing of confusing responsibility somewhat. It could tempt the minister to delve into board matters, adding to centralization; and it might, worst of all, negate Parliament's self-denying ordinance with respect to day-to-day management of the industries. However, Mr. Crookshank, Conservative leader in the House of Commons, has clearly indicated a strong personal preference for "tight terms of reference" for the new committee, saying, "Obviously it is a question of advancing slowly and seeing where we get to."⁷²

Insistent pressure for fuller accountability is likely to continue to beat upon Parliament. The temptation to move toward more and more control will be great. Even Herbert Morrison recently confessed: "I agree right off, in the case of electricity, there is a strong case to argue that it could be run by a Government Department."⁷³ It also remains to be seen whether the Labour party, in its zeal to nationalize, chose an instrument sufficiently amenable to the policy integration required for national planning. But while British confidence in the public corporation idea remains, the major problem is not machinery for control, but balanced use of it. A great deal of machinery now exists, far more than is effectively utilized.

⁷² *H. C.* 235, p. 113.

⁷³ *Ibid.*, p. 57.

DEMOCRACY AND THE PROBLEM OF CIVIL DISOBEDIENCE*

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I.

If Sophocles were alive today to recast the dilemma of Antigone in contemporary, if less sanguine, terms, he might well seize on the problem of the citizen who refuses to answer questions put to him by a congressional investigating committee. Antigone, you will recall, was torn between two loyalties. Her religion commanded her to bury the body of her brother, while her state commanded that his body be left, unburied and unmourned, to be eaten by dogs and vultures on the open plain outside the city walls. As a loyal citizen, Antigone was required to yield her conscience to the state, to guide her conduct not by her rational moral knowledge but by the precepts of the law. As a person bound to her kin by the dictates of her religion, she was required to subordinate the instructions of Creon the king to those of her faith. She chose to obey her conscience and paid the penalty. Socrates, who—according to a traditional interpretation of the *Crito*¹—would doubtless have counseled otherwise, was also executed by the state. Thoreau, who at a critical moment followed what has scornfully been termed “the primitive attitude of Antigone, rather than the

* The substance of this paper was read at the annual meeting of the American Political Science Association in Washington, D. C., in September, 1953.

¹ John Dickinson, “A Working Theory of Sovereignty,” *Political Science Quarterly*, Vol. 43, pp. 32–63, at p. 50 (Mar., 1928). Taken by itself, the argument of the *Crito* (50–51) does, I think, support Dickinson’s interpretation. But there are strong grounds for holding a contrary view of what Socrates actually believed. It is clearly the teaching of the *Apology* (and other Socratic dialogues of Plato) that it is never right to do wrong, regardless of personal consequences. For this reason Socrates refused to obey the command of the Thirty to bring Leon the Salaminian to Athens to be put to death by the oligarchy; and he refused to remain silent when, “as I conceive and imagine, the god orders me to fulfill the philosopher’s mission of searching into myself and other men” (*Apology*, 32, 28). Plainly, Socrates would disobey a law that required him to do an unjust thing. From this standpoint, the argument in the aforesaid passage of the *Crito* can be read as no more than a demonstration to Crito that none of his arguments is sufficient to persuade Socrates to flee prison. This leaves open the question whether Socrates might not have been persuaded by other reasons—e.g., by a refutation of his own implicit thesis that death was really preferable to him than exile, in view of all the circumstances. Such a refutation might have been convincing if there were a different set of circumstances surrounding such factors as his age, the suffering he might cause his friends in Athens, the treatment he might expect in the place or places of his exile, and above all the effect that escape would have had upon Socrates’ life-work, his philosophic mission, the thing which was more precious to him than life.

For another argument in support of the thesis that Socrates would have approved Antigone’s action, see R. N. Cross, *Socrates: The Man and His Mission* (Chicago, no date), pp. 168–72. Aspects of the general problem are discussed in Harry V. Jaffa, *Thomism and Aristotelianism* (Chicago, 1952), pp. 29–30, 199, and Jerome Hall, *Living Law of Democratic Society* (Indianapolis, 1949), pp. 21–22.

mature comprehension of Socrates,"² found that refusal to obey a law resulted not in loss of life but in temporary loss of physical freedom. This moderation of punishment from ancient Greece to mid-nineteenth century America, though not a steady historical trend, reveals a greater tolerance on the part of the state toward manifestations of civil disobedience, but the state's adamance still remains, and with it the essential dimensions of the problem.

Governments and people still contend over these old and fundamental problems of political obligation. Now as before, there are those who categorically assert that it is the duty of the citizen always to obey the law, while others insist that a citizen owes his primary obligation to his own conscience. Since it is my general conviction, with Aristotle, that "in all disputes upon government each party says something that is just,"³ I propose to consider here those principles which, in a democratic state at least, appear to me to render valid *some* claims to the right of civil disobedience.⁴

Of such appeals to the right of civil disobedience I shall restrict myself in this paper to three: (1) the claim that the democratic state has no moral authority to make any demands on the individual because the political system (or the social order maintained by that system) is, in principle, unjust; (2) the claim that the system ideally conceived is just but that the particular state is a perverted form of democracy and is therefore unjust, and that consequently, as in the first instance, it lacks authority; (3) the claim that while the social order and the institutionalized form of democracy that seeks to maintain it are just, the particular law (or laws) is unjust in that it constitutes an attack on and a repudiation of that ideal, and that consequently disobedience to the law in question is, in the particular instance, calculated to achieve a greater good—the preservation of the system itself—than is likely to be achieved by compliance.

Since the resolution of a problem requires first that the problem be understood, it may be well to state at the outset what I conceive to be the underlying questions emerging from the present conflict over the principles of political obligation.

II

When a citizen today is summoned by a congressional investigating committee to answer questions he regards as morally reprehensible—questions, for example, that call upon him to state his political beliefs or to be an informer—he finds himself in a grave dilemma. If he answers the questions, he obeys the law but violates his moral code, and may, in addition, expose himself to certain

² Dickinson, *op. cit.*, p. 50.

³ Aristotle, *Politics*, trans. William Ellis, Everyman's ed. (London, 1912), 1281a.

⁴ It seems hardly necessary to add that while the analysis of this problem is motivated by certain consequences which have ensued from the intense activities of congressional investigating committees in recent years, I am concerned not with the specific conduct of individuals who have appeared before such committees or with the behavior of the committee members themselves, but with the *principles* of political obligation that are relevant to such conduct.

non-legal consequences of his legal action—e.g., the loss of his job. If he refuses to answer on moral grounds, he satisfies his conscience but denies his obligation to the law, and thereby, if we are to believe certain conservative thinkers from Socrates' day to our own,⁵ endangers as well the very foundations of the social order. His personal risks in such a course are even greater, entailing possible imprisonment, and his only consolation would be the knowledge that he had displayed the virtue of courage, or, with Thoreau, the thought that "under a government which imprisons any unjustly, the true place for a just man is also a prison."⁶

If, however, he resorts to a legal instrument—e.g., the self-incrimination clause of the Fifth Amendment to the Constitution—which will enable him both to satisfy his conscience and by invoking another law to stay out of jail, he invites a further dilemma. For if he invokes the Fifth Amendment knowing that it does not strictly apply to his case—e.g., if he seeks to protect someone else, although under the self-incrimination clause he is not entitled to do so—he does not tell the truth and may thereby dishonor his moral code. Nor can he enjoy the consolation of having been courageous, if he now seeks to escape the consequences of a refusal to answer based solely on moral grounds. On the other hand, if he is convinced that a lie is necessary to achieve a greater good, he may find it difficult to understand why one who acts rightly should be expected to invite wrongful punishment. To one who believes that a lie is always wrong, such conduct is inexcusable. But to men sensitive to the fact that moral dilemmas arise precisely because a particular situation offers no clearcut distinction between right and wrong, and that it is sometimes impossible to do that which is good without doing or suffering something that is bad, the performance of what under other circumstances might be evil is then right, not wrong. Moral rules are often in conflict, and a moral man may have to choose between telling the truth or lying to do good. If the greater good is right, the lie—otherwise bad but now necessary to the good—is also right. It is at least questionable whether an ambassador (or a spy) who lies, when necessary, for the good of his country, merits moral censure.

The gravity of the dilemma is compounded (a) by the failure of law, in general, to protect men from the non-legal consequences of legal action, and (b) by the deliberate use of the law, on occasion, to expose men to non-legal sanctions against actions heretofore beyond the pale of legal penalty.

Appeal to the Fifth Amendment may protect a man from certain legal penalties ensuing from his refusal to answer questions that might tend to incriminate him, but it provides no legal protection against the economic or social consequences of his refusal. Thus a man who invokes the Fifth Amendment may find himself without a job and with little likelihood of obtaining one,

⁵ For a contemporary view, see the argument by Peter Viereck in *Conservatism Revisited* (New York, 1949), pp. 10-11; but note his argument for the reverse position, pp. 20-21.

⁶ Henry David Thoreau, "Civil Disobedience," in *Walden and Other Writings*, ed. Brooks Atkinson, Modern Library ed. (New York, 1937), p. 646.

at least in his established field of endeavor. He may find himself and his family ostracized as well as impoverished. He may discover that his reputation and good name have been sacrificed on the altar of conscience. He may begin then to understand the element of truth in Machiavelli's cynical advice to one who would win popular approval and support—that it is often better to *seem* good than to *be* good. And he may learn, perhaps when it is too late, the awful significance of the words of Sophocles' Chorus:

Tomorrow and for all time to come,
As in the past,
This law is immutable:
For mortals greatly to live is greatly to suffer.⁷

Since it is the rare man who is willing to suffer greatly, the dire non-legal consequences of permissible legal action impose pressures that make difficult a right resolution of the moral dilemma. The citizen may obey the law not because he conceives it right to obey but because he fears the consequences of disobedience. This introduces a new element into the problem, namely, the question of the moral obligation of the state to protect a citizen from social punishment when certain legal authorities or *private* powers disapprove his act, however unobjectionable it may be on strictly legal grounds. Does the state have an obligation to guarantee to a citizen not merely the constitutional right to refuse to answer questions with an incriminating bias, but also the legal right to protection from non-legal sanctions attendant upon such refusal?

It would be futile to deny that an affirmative answer to this last question leads into patent (and perhaps insuperable) difficulties, not the least of these being the dangers involved in unduly extending the sphere of state intervention. But the question of the state's obligation is not for this reason to be avoided. For if the Constitution is the final legal norm from which all subsidiary law derives its validity, then the protection of the Constitution must be made real and not simply formal. This can be achieved only when (a) the Constitution is applied not merely against *de jure* governments but against citizens and groups who comprise *de facto* or private governments that proclaim "laws" and impose sanctions, and (b) the laws of the state and the actions of governmental authorities conform both to the letter and to the spirit of the Constitution, i.e., they avoid so maltreating men as to expose them to non-legal sanctions where no legal punishments are or have been intended.

These principles, especially the former, may appear at first blush to embody a revolutionary proposal. Clearly, they require distinctions which are not likely to admit of mathematically precise application. On the one hand, there are certain social and economic consequences of lawful action which the state cannot prevent or eliminate even if it seeks to do so—e.g., the suspicion in the minds of some people that a man acquitted of a charge of rape or murder is nonetheless

⁷ "Antigone," in Sophocles, *The Theban Plays*, trans. E. V. Rieu, Penguin ed. (London, 1947), pp. 142-43.

guilty.⁸ On the other hand, there are certain cases in which the state should not intervene even if it could do so—e.g., the dismissal from the police force of an officer who refuses, despite the direct and obvious nexus between the information sought and the responsibilities of his position, to testify even before a non-legal but properly constituted tribunal of his superior officers concerning his alleged collaboration with dope-peddlers. But between these two extremes there still remains a vast intermediate range of instances in which governments may properly undertake to protect men from non-legal sanctions which in effect invalidate a constitutional or legal right. In line with this principle—a principle long grasped by some of our more perceptive legal and political thinkers⁹ and incorporated in considerable measure into American constitutional law by the decision of the Supreme Court in *United States v. Classic*¹⁰ more than a decade ago—governments have in fact sponsored legislation which, like the Wagner Act, prevented an employer from dismissing an employee for joining a labor union, or which, like fair employment practices acts, seeks to curb certain discriminatory practices by private powers. And it is in line with this same principle that governments might well prevent a university from dismissing a member of its faculty if his sole offense is that he has invoked the protection of the Constitution in refusing to answer questions put to him by a legislative investigating committee. I do not mean to imply by this that a refusal to testify under protection of the Fifth Amendment is necessarily to be condoned. But it ought not to be automatically condemned; for a decision not to testify may involve profound and complex ethical as well as legal considerations to which automatic condemnation and consequent social punishment are blind, not to mention the fact that they violate the spirit of the constitutional amendment itself.

Similar considerations support the proposition that legal authorities are to be condemned when they circumvent, and indeed violate, the Constitution in employing indirect (non-legal) sanctions to coerce an individual in cases where the law itself does not give them that power. Consider, for example, the not infrequent behavior of a congressional investigating committee. If the primary purpose of—and warrant for—such a committee is to gather information as a

⁸ But if in such an instance the state cannot prevent moral disapprobation, and even perhaps the imposition of social and economic sanctions, by those whose sentiments may have been outraged, it can at least assume the obligation not to leave the acquitted man impoverished if in establishing his innocence he has been compelled to exhaust his funds.

⁹ See, for example, Morris R. Cohen, *Law and the Social Order* (New York, 1933), especially pp. 41–68, 102–11; Edgar Bodenheimer, "Power and Law: A Study of the Concept of Law," *Ethics*, Vol. 50, pp. 127–43, at pp. 133–35 (Jan., 1940); Alexander H. Pekelis, *Law and Social Action*, ed. Milton R. Konvitz (Ithaca, N. Y., 1950), pp. 91–127; and Robert L. Hale, *Freedom through Law* (New York, 1952). On the mutual dependence of legal and non-legal social controls, there is, of course, a vast literature—e.g., the writings of Ihering and Gierke, Edward A. Ross and Max Weber, Robert M. MacIver and Bertrand Russell. Some of the juristic thinkers are considered in Julius Stone, *The Province and Function of Law*, 2d printing (Sydney, Australia, 1950), Chs. 11 and 24.

¹⁰ 313 U.S. 299 (1940). See further the cases and discussion in Robert K. Carr, *Federal Protection of Civil Rights* (Ithaca, N. Y., 1947), Ch. 4.

basis for recommending legislation, then a private or closed hearing would normally enable it to achieve this end without exposing the citizen to non-legal penalties. If the committee is not only indifferent to this last consideration but, through a second and open hearing that adds nothing but publicity to answers already vouchsafed or refused by the witness, deliberately contrives a situation that brings social and economic sanctions into play, it in effect converts such non-legal sanctions into indirect forms of legal action. This all too common effect of the sustained congressional investigations into the loyalty of university professors and others is a calculated perversion of power that raises serious questions concerning the justice of governmental behavior.

What is involved, consequently, is not only the obligation of the citizen to the state but also the responsibility of the state—certainly, at least, of a constitutional state—to the citizen.

The dilemma of the citizen, then, may derive not simply from a conflict between the commands of the state and the dictates of his conscience. It may emerge as well from the incompatibility of an enacted law or of the acts of governmental authorities or of private powers with the constitution of the state, understanding by the constitution not simply the written rules that comprise a revered document but the logic or underlying principle of the system which the Constitution (written and unwritten) is supposed to represent. In this circumstance the dilemma of the citizen takes another, and perhaps more aggravated, form than Antigone's moral problem; for the citizen here believes that he is being loyal to the Constitution in rejecting the obligation to obey the law (or the bidding of a legal authority). He is not pitting simply his conscience against the law but also the law against the Constitution. He is asserting that in defending the fundamental law he is being more loyal than those who would compel him to violate it. He invokes not (or not merely) the Fifth but the First Amendment, which, while thus far rejected by the courts in such cases, nevertheless appears to him the proper ground on which to take his stand.¹¹

It is easy to say, and to say rightly, that there are legal mechanisms for the resolution of a conflict between an enacted law (or the bidding of a legal authority) and the Constitution, and that it is not the business of the citizen to displace such mechanisms by self-arrogation. But such mechanisms—e.g., the Supreme Court—do not always restrict social or economic or religious power groups from attaching severe penalties to action that is legally right. What is legally right may be deemed socially or economically or morally wrong. Consequently, the moral question for the citizen remains, all the more so since there is no legal

¹¹ It is not without interest that even a near-absolutist like Hobbes would in the immediate circumstances seem to sanction a man's refusal to obey. "No man," Hobbes declared, "is tied by any compacts whatsoever to accuse himself, or any other, by whose damage he is like to procure himself a bitter life . . . yet in a public trial he may, by torture, be forced to make answer. But such answers are no testimony of the fact, but helps for the searching out of truth; insomuch that whether the party tortured answer true or false, or whether he answer not at all, whatsoever he doth, he doth it by right." *De Cive*, II, 19.

machinery to prevent coercive action by non-legal power groups, by *private* governments.

III

What, then, is the citizen to do? If he obeys the law, he may violate his conscience. If he obeys his conscience, he may violate the law. If he obeys his conscience and seeks to vindicate his alleged disobedience by invoking the protection of the Constitution, he exposes himself to social or economic sanctions that are sometimes more powerful than the legal penalties that might have been applied had he not claimed that protection. The state, where it is not itself the deliberate *provocateur*, is indifferent to his fate in this last circumstance. Should he then be indifferent to the state?

The answer of the state, at least, is clear. It is no. There can be no law to which obedience is optional, no command to which the state attaches an "if you please." Consequently, there can be no legal right to disobey the law. Nor will the state, customarily, recognize a moral claim to disobedience. It may be urged that conscientious objectors often escape the prescribed legal punishments by appealing to a higher law. But this is only half true. For they escape such consequences only because a court or a statute admits such a claim as a legal one. The state, so to speak, incorporates the higher law into the positive law; it proclaims that in such cases it is lawful for some men to follow a certain course of action denied to the populace at large.

The state, then, demands obedience to its laws; and while it employs (or can employ) a number of different arguments to vindicate this claim,¹² its primary justification is the ground that such obedience is essential to the maintenance of the social order. Order, it is said, is better than disorder; and if men are free to set aside the laws of the state whenever they find them in conflict with their private interests, particular religion, or individual sense of morality, anarchy will result. Disobedience to the laws, therefore, involves an attack on the state itself. It is an act of rebellion, an attempt to subvert the foundations of the entire system of order which it is the business of the state to secure. This is why Socrates rejected Crito's suggestion that he flee to escape execution. What reply could he make, Socrates asked Crito, if the Athenian government should come to him and say:

Tell us, Socrates, . . . what are you about? are you not going by an act of yours to overturn us—the laws, and the whole state, as far as in you lies? Do you imagine that a state can subsist and not be overthrown, in which the decisions of law have no power, but are set aside and trampled upon by individuals? . . . Tell us,—What complaint have you to make against us which justifies you in attempting to destroy us and the state? . . . And because we think right to destroy you, do you think that you have any right to destroy us in return, and your country as far as in you lies?¹³

¹² Cf. T. H. Green, *Lectures on the Principles of Political Obligation* (London, 1924 ed.); J. P. Plamenatz, *Consent, Freedom and Political Obligation* (London, 1938), Chs. 1–4; Max Weber, *The Theory of Social and Economic Organization*, trans. A. M. Henderson and Talcott Parsons (New York, 1947), pp. 324–73, 382–92; and Ernest Barker, *Principles of Social and Political Theory* (Oxford, 1951), Bk. V.

¹³ *Crito* (trans. Benjamin Jowett), 50–51.

He could, Crito admitted, make no answer. Since by his failure to emigrate Socrates had agreed to abide by the laws, he could not now disavow that covenant. He could not through disobedience seek to overthrow the state.¹⁴

Clearly there is merit in this position. Order is a necessary condition to the achievement of larger values; and if order is to be maintained there must be power, and a general readiness on the part of men to abide by the commands of power. But the merit is a relative one. Order in itself is not a *sufficient* condition for the realization of those values, and a government which merely secures order without, or at the expense of, those larger values, lacks moral vindication. Under such circumstances, it might well be argued that anarchy or disorder is to be preferred—not for its own sake but for the opportunity it provides to recreate the requisite conditions for a better human existence. Thus, while order is good, it is not necessarily the highest good. We must still distinguish the just or the decent order; we must still recognize that order is but a means to some larger end.¹⁵ Epictetus may command our sympathy when he observes: "Did heaven owe me perfect parents?—No; it owed me parents." But, as Aristotle reminded Plato, it is surely a shallow philosophy that ignores the vast difference between a family and a state. And if we are to adhere to the principle of democracy, then not order but a certain kind of order—one based on opinion, on consent—constitutes the necessary framework of justice.

This being so, it is hard to see what absolute moral claim democracy can make on those who withhold their fundamental consent. Anarchists, communists, fascists, and others who deny—not through revolutionary action but through civil disobedience—the authority of the social order which democracy seeks to maintain, appeal instead to some alternative principle of justice. If they obey the laws of democracy, they do so for reasons of expediency, not of principle. It is true that fascists like Lawrence Dennis who affirm fidelity to the notion that might makes right are by this standard logically committed to the acceptance of democracy where it prevails; for democracy by virtue of the fact that it prevails has might and is therefore "right."¹⁶ But democracy is not responsible for the confused arguments of its opponents. Nor can it without denying its very essence stand on any principle other than that of generalized consent. Consequently, democracy must recognize that for men who reject its values and refuse their assent to its system of order the dictates of demo-

¹⁴ The fact that Socrates was in prison at the very moment he was thus arguing against Crito's plea that he disobey the law, reinforces the contention in note 1 above that Socrates did not actually accept this position; that he was in fact prepared to yield only a qualified obedience to the laws.

¹⁵ For this reason skeptics have put the argument for social order not in terms of right but in terms of convenience. The difficulty here, of course, is that it then becomes "right" to disobey whenever the social order ceases to be convenient.

¹⁶ I do not mean to imply that Mr. Dennis accepts the logic of his own position. See my *Patterns of Anti-Democratic Thought* (New York, 1949), Ch. 3. For the absurdity of the "principle" that might makes right see the classic argument in Rousseau, *The Social Contract*, Book I, Ch. 3. Compare, however, Spinoza, *Tractatus Theologico-Politicus*, Ch. 16, and *Tractatus Politicus*, Chs. 2-4.

cratic government appear as the commands of an illegitimate power. And where that power can be defied, especially with some expectation of success, opponents of democracy will claim a moral right to do so. In this regard they claim no more, on purely formalistic grounds, with respect to democratic systems than democrats do with respect to oligarchical systems. Hence the problem for democracy is not that of validating its own claim to their obedience, but that of allowing them that degree of civil disobedience which will balance the need for its own institutional preservation with its ultimate values, especially the provision for maximum free play for the individual conscience. Democracy can, to be sure, offer an opposing value judgment; but it cannot—without invoking intuition or divine or natural sanction or the proposition that might makes right—*prove* that its value system is truly best. Consequently, while democracy must, in defense of its own values, reject the scheme of justice proposed by the anti-democrats, it must at the same time face the uncomfortable fact that on intrinsic grounds it lacks an absolute moral standard in terms of which it can justly disavow the right of civil disobedience to those who deny the validity of the social order.¹⁷

It may of course be argued that men who reject democracy should leave the state, that if they stay, as Socrates stayed, they assume the obligation to obey its laws.¹⁸ And we have, in point of fact, instances in our time in which the right of egress has been exercised—e.g., T. S. Eliot, George Santayana, and Ezra Pound; even, perhaps, Alexander Berkman and Emma Goldman, who rejoiced when they arrived (albeit after an unintended and involuntary voyage) in Lenin's Russia. But apart from the practical objections that the state does not always grant the right of egress and that there may not be another state which embodies the "right" political system and social order—witness the tragic tale of Emma Goldman's disenchantment with Russia¹⁹—I fail to comprehend the moral character of this solution. I recognize that while on intrinsic grounds democracy affirms that each man's conscience is "right," it must set instrumental limits on this "right"; that, operationally speaking, the notion that each man is entitled to have any conscience he wants does not imply that he has a right to subordinate the laws to his conscience. Nevertheless, if democracy insists that all men are subject to the laws, it must also insist that all men are

¹⁷ Some writers have sought in intuition or in natural law an "objective" criterion in terms of which they could show that democracy is intrinsically and not merely instrumentally best—e.g., Walter T. Stace, *The Destiny of Western Man* (New York, 1942) and Mortimer J. Adler and Walter Farrell, "The Theory of Democracy," *The Thomist*, Vols. 3-7 (July, 1941-Jan., 1944)—but all such efforts rest ultimately on certain assumptions which cannot be *proved*. See further my "Power, Law, and Freedom of Inquiry," in *Educational Freedom in an Age of Anxiety*, ed. H. Gordon Hullfish (New York, 1953), pp. 52-69, at pp. 59-65.

¹⁸ For a recent (though qualified) restatement of this position, see Gray L. Dorsey, "The Necessity of Authority to Freedom," in *Freedom and Authority in Our Time*, ed. Lyman Bryson *et al.* (New York, 1953), pp. 317-33, at pp. 329-31.

¹⁹ See her autobiography, *Living My Life*, 2 vols. (New York, 1931), Vol. 2, pp. 726-927.

protected by the laws, that all men have an equal right (say) to life and liberty. A majority under this principle has no absolute moral justification to limit this right except where it has secured the consent of the governed—not, of course, in the sense that consent is given to each particular law, but in the sense that generalized consent or consensus is accorded the system under which that majority has come to power. This being so, what moral principle justifies a democracy in going outside the area of consent to deny the right of civil disobedience to a recalcitrant individual or minority? What principle other than force gives a democratic people the right to exclude those who reject democracy from that portion of the earth possessed by the democrats? Clearly, the argument asserts only that the bulk of the people regard a particular system as just, and that those who do not accept this valuation shall nonetheless be required to submit.²⁰ But if consent is acknowledged to be the ultimate source of authority, the appeal to force leaves unanswered (where it does not negate) the question of justice—whether that system is good or, indeed, best. This is not to deny that even the *best* system may depend on a measure of force to maintain itself; it is only to affirm that the resort to force, even when successful, cannot of itself establish that a system is best.

I return, therefore, to the position that where consent is withheld from the entire system of order itself, democracy's claim to obedience with respect to such dissidents rests on power, not on a universal morality. Consequently, democracy cannot insist, without denying its own framework of justice—the principle of consent—that such individuals or groups obey the law. In such cases it can only resort to the rule of expediency referred to above—namely, that of disallowing only that expression of the individual conscience which is incompatible with democracy's own ultimate values and institutional preservation.²¹

²⁰ This was clearly perceived by Justice Holmes, who with typical frankness wrote to Frederick Pollock: "I do think that man at present is a predatory animal. I think that the sacredness of human life is a purely municipal ideal of no validity outside the jurisdiction. I believe that force, mitigated so far as may be by good manners, is the *ultima ratio*, and between two groups that want to make inconsistent kinds of worlds I see no remedy except force." *Holmes-Pollock Letters*, ed. Mark DeWolfe Howe, 2 vols. (Cambridge, 1942), Vol. 2, p. 36. And again, in letters to Harold J. Laski: "... all law means I will kill you if necessary to make you conform to my requirements." "... there is no superior arbiter—it is one of taste—but when men differ in taste as to the kind of world they want the only thing to do is to go to work killing." *Holmes-Laski Letters*, ed. Mark DeWolfe Howe, 2 vols. (Cambridge, 1953), Vol. 1, pp. 16, 116.

²¹ I am not unaware of the objection that the state cannot regard as irrelevant the effects of such disobedience on others. There is an immense difference, it is said, between disobeying the law when it conflicts with my principles or preferences if such disobedience does not injure others, and disobeying the law at the cost of injury to others. This argument has great force, and in general I think it proper that men should obey even unjust laws when disobedience has the effect of worsening, rather than improving, the situation. But the argument seems to me also to beg two of the very questions at issue: whether the law (and more important the system itself) does in fact injure others, and whether the numerical calculus is a proper principle of justice. In disobeying the law under the circum-

IV

Of those who accept democracy as the theoretically or practically best political order, yet contemplate disobedience to the law, two classes of citizens must, I think, be distinguished. One denies the intrinsic merit or rationality of the law itself; the other challenges as well the claim of the particular form of state enacting the law to be called a democracy.

For this latter group, democracy is good but the state is not democratic; hence with respect to the principle of political obligation their attitude toward the political order is not essentially different from that of those who accept the state as democratic but deny that democracy is good. They not only argue, with Aristotle,²² that a government democratic in form may be oligarchical in fact; they insist further that a careful examination of the American political system discloses it to be formally insufficient as well. From their point of view, the American Senate (based on a quota system that does violence to the principle of popular representation), the Supreme Court (with its power of judicial review), the staggered system of elections (which not infrequently prevents a popular majority from becoming a legal or controlling majority), the involved apparatus that separates and checks powers so as to deadlock no less than to balance them, the amending clause (which puts the Constitution itself beyond the reach of normal majorities)—all these and more (e.g., suffrage restrictions, gerrymandering, and the like) are but devices to hinder and at times effectively to block the translation of public opinion into public policy. Even the sacred rules of the game may be changed by the group in power when those rules no longer operate to that group's advantage. This is amply evidenced by the history of the Supreme Court with respect, for example, to the Fourteenth Amendment.

Knowing these things (or feeling this way), a citizen confronted by what he conceives to be a morally reprehensible law (or an action under that law) has difficulty in accepting the argument that he should express his disapproval not through civil disobedience but through the regular legal and political channels available to him. In his view, it is simply not true that these legal and political channels *are* available to him, that is, available in the way that democracy ideally requires. Such a citizen might agree that all human contrivances are imperfect. He might admit, too, that it is great folly, if not fanaticism, to insist on the perfectibility of political institutions regardless of consequences. Nevertheless, if it is not simply to evoke his blind acquiescence, a democratic system must above all be democratic; it must embody to a major degree elements of that

stances cited here, the dissident takes the position that it is the law (and the system of order as well) which inflicts the injury, and that by disobeying the law he is calling the attention of the people to the injustice of the state. Moreover, if justice involves injury to others, then it is "just" that such injury be inflicted upon them. (In this event, of course, the dissident might well contend that the injury is apparent rather than real.) In any case, the objection does little more than return us to the fundamental issue at stake: which of the conflicting value systems is truly best or just?

²² *Politics*, 1292b.

just political order which it purportedly represents. If it falls so far short of this ideal as to foreclose any real possibility of correcting legislative evils by (say) normal majorities, if the political mechanism obstructs public opinion by institutionalizing various forms of minority control, it is in fact not a democracy at all. It is a perverted form of democratic government and, as such, it is bound to rely on unjust laws.²³

To the extent that there is substance in this view—in the sense that the indictment of institutional arrangements is sound—men committed to democracy are under no moral obligation to obey “undemocratic” laws. Those who place a different weight on the shortcomings of the system may deplore their judgment in this regard, but if the shortcomings are serious and real they cannot in democracy’s name be asked to give absolute obedience to a less-than-democratic (and to this degree undemocratic) system. Like the good churchgoers of Concord who were taken ill when Thoreau asked them also to read the Bible, protagonists of the system might well be discomfited and silenced when confronted, for instance, by a Negro suffering political and educational discrimination in one of our states, or an interned Nisei, who to justify an act of civil disobedience asks but a single question: “Is this the content of democracy?”

V

We come, finally, to those democrats who accept the system as essentially democratic and who are prepared, on the whole, to obey the laws. They understand that government by consent means consent not to each particular law but to the entire system of order itself, and ultimately to the idea of justice which that system represents. For the sake of the greater good secured by that system through its government and its laws, they accept specific enactments which they otherwise disapprove. They obey not necessarily because they think that the law is right, but because they think it right to obey the law.²⁴

For this reason they reject the individualistic ethics of a Protagoras, who would justify disobedience to the law provided you can get away with it, or of a Harold Laski or of a Thoreau, who would demand of each law that it provide “moral adequacy,”²⁵ or of other legal and political theorists who would measure

²³ There is substantial though not complete truth in Aristotle’s dictum that “a well-formed government will have good laws, a bad one, bad ones,” *Ibid.*, 1282b.

²⁴ See R. M. MacIver, *The Modern State* (London, 1926), p. 154. This is not to argue that reason is the only, or the decisive, factor in leading men to obey laws which they regard as unjust. Habit, indolence, deference, fear, and the like, are in most cases the crucial determinants of obedience. See James Bryce, *Studies in History and Jurisprudence* (New York, 1901), pp. 467 ff., and R. M. MacIver, *The Web of Government* (New York, 1947), pp. 73–81.

²⁵ “My problem,” Laski wrote to Holmes, “is to take away from the state the superior morality with which we have invested its activities and give them [*sic*] back to the individual conscience.” *Holmes-Laski Letters* (cited in note 20), Vol. 1, p. 23. See further his *Authority in the Modern State* (New Haven, 1919), Ch. 1, especially pp. 43, 46, 55; *A Grammar of Politics*, 4th ed. (London, 1938), Part I; and *Studies in Law and Politics* (New Haven, 1932), Ch. 11. So also Thoreau: “Must the citizen ever for a moment, or in the

the obligation of a citizen to the law in terms of the degree to which it serves some other end. If a man's loyalty is to the system, then obedience cannot be determined solely by immediate approbation. He cannot attempt to evaluate the law simply in terms of its expressed content;²⁶ nor can he separate laws from their cumulative total effect on the assumption that disobedience to a particular law leaves unaffected the system of law. Very few laws are accepted unanimously, and if the considerable number of citizens who dislike a law are literally free to disobey it, the state and the social order can hardly be expected to survive. A plea for total disobedience, or for the right of total disobedience, logically entails not a state at all but anarchy.

Does it follow that the citizen who admits his obligation to obey the laws must obey *all* laws *always*? Is one who rejects the extreme individualism of a Laski compelled to accept the extreme absolutism of a Hegel,²⁷ or the near-absolutism of a Hobbes²⁸ or of a John Dickinson, who join with Socrates of the *Crito* in entering an affirmative answer? If a law is disobeyed, they tell us, the social order will collapse. In their view, each law is an integral part of a coherent, corporate body of law, which in turn sustains society. Consequently, disobedience to a law is a challenge to sovereignty itself. As Dickinson put it: "It is not a question of a bare conflict between the individual and the sovereign; the conflict must be regarded as rather between the individual and all that the sovereign stands for." In disobeying the sovereign we bring "dominantly into the foreground the large issue of the desirability of preserving public authority and civil society itself." In disobeying the sovereign we strike at just this essential method of civil society.²⁹

This is a plausible argument. It avoids the individualistic fallacy by emphasizing the need for order and the role of law in maintaining that order. But it is not without fallacies of its own. What holds society together, for example, is not simply law (and perhaps not even law) but the customs and moral codes, the sentiments, of the people. The classic formulation of T. H. Green

least degree, resign his conscience to the legislator? Why has every man a conscience, then? I think that we should be men first, and subjects afterward. It is not desirable to cultivate a respect for the law, as much as for the right. The only obligation which I have a right to assume is to do at any time what I think right." Thoreau, "Civil Disobedience" (cited in note 6), pp. 636-37.

²⁶ This is convincingly demonstrated in Felix S. Cohen, *Ethical Systems and Legal Ideals* (New York, 1933), pp. 62-65.

²⁷ There is, however, a certain ambiguity in Hegel's absolutism, stemming from his apparent insistence that Antigone in refusing to obey the law of the state was both right and wrong. Cf. Georg W. F. Hegel, *The Phenomenology of Mind*, trans. J. B. Baillie, 2 vols. (New York, 1910), Vol. 2, pp. 453 ff., and Georg W. F. Hegel, *Philosophy of Right*, trans. T. M. Knox (Oxford, 1942), pp. 3-10, 100, 114-15, 165-73, and the relevant translator's notes on pp. 299, 301, and 351. Hegel's subordination of the state (the highest reality within the realm of right) to philosophical truth (the highest reality within the whole system) is emphasized in Herbert Marcuse, *Reason and Revolution* (New York, 1941), p. 178.

²⁸ For Hobbes' denial that political obligation requires an absolute obedience to all laws, see for example *De Cive*, VI, 13; VIII, 1; and XV, 18.

²⁹ "A Working Theory of Sovereignty" (cited in note 1), pp. 50-51.

still applies: it is not the state that produces cohesive will; it is will that creates and sustains the state.³⁰ Political loyalties and political obligations do not exclude other loyalties and other obligations, and it is the meaning of democracy that it does not seek to command a monopoly of man's allegiances. Democracy seeks to root its fundamental unity not in the power of the state but in the sense of common interest that sustains but does not obliterate the vital differences among men.³¹ So long as these differences are admitted, with respect not simply to things that do not matter much but to things that touch the very heart of the existing order as well,³² the democratic state can find its essential solidarity not in the structure of law but in the minds of men.

Nor does the absolutist position rest on solid ground when it assumes that all laws form a coherent unity, so that disobedience to a particular law necessarily involves the destruction of the entire system of law. Evasion of the law is a normal concomitant of all legal systems, and it is doubtful that the existence of jails constitutes sufficient proof of the breakdown of the system. We are all familiar with the propensity of people not in jails to disobey laws that inconvenience them—e.g., traffic regulations, income tax laws, and prohibitions on gambling and on the traffic in liquor and women. Police and other political officials do not enforce all laws equally and at times they conspire with people who seek to disobey them. Governments too evade or disobey the law—witness the oft-cited examples of Southern states that have largely ignored the Fourteenth and Fifteenth Amendments to the American Constitution; of the many Congresses that have failed to apply the constitutional provision (Sec. 2, Amend. XIV) requiring that the representation of such states in the House of Representatives be reduced; and of the refusal of the Congress in 1920 to carry out the required reapportionment of the House of Representatives. Despite these and other acts of disobedience, the system of law has not, I think, disappeared. Clearly, *some* laws are not essential to the maintenance of the social order.

If, therefore, the state is not equivalent to the whole of the social order, and if all laws are not integrated into a single coherent unity, disobedience to a particular law need not imply an attempt to overthrow the political system or the social order itself. To Dickinson's charge that the conflict is between the individual and all that the sovereign stands for, we must reply: the conflict is also between the sovereign and all that the individual stands for. It may even, in fact, be between the actual sovereign and all that the ideal sovereign stands for. In

³⁰ See also Elijah Jordan, *Theory of Legislation; An Essay on the Dynamics of Public Mind* (Chicago, 1952).

³¹ Cf. MacIver, *The Modern State*, p. 482; Dorothy Fosdick, *What is Liberty?* (New York, 1939), p. 128; and the writer's *Patterns of Anti-Democratic Thought*, pp. 204-6, 247-48.

³² As Mr. Justice Jackson so aptly put it in *West Virginia State Board of Education v. Barnette*, 319 U.S. 624, 642 (1943). See also the interesting argument of Charles R. Nixon, "Freedom vs. Unity: A Problem in the Theory of Civil Liberty," *Political Science Quarterly*, Vol. 68, pp. 70-88 (March, 1953).

these two points, I believe, we can find a sufficient justification for *some* acts of civil disobedience.

Consider, first, what is involved when the state demands that an individual obey not his conscience but the law. In a general sense, it appears to ask only that he recognize the necessity of compromise if men are to live together. But when the issue is joined so that men question the justice of the terms on which they are asked to live together, the state requires far more: it demands nothing less than that he submit to a civil theology.³³ For if action contrary to conscience is immoral, the state by insisting that the individual follow not his conscience but a command of the state contrary to his conscience thereby insists that he act immorally. Since the state will not admit that its command is immoral, it must—if it is to vindicate its claim to obedience—argue that the judgment of the individual conscience is wrong, and that by acting instead according to the state's judgment of what is right the individual will realize his true morality, his true freedom. There are many who still take seriously this teaching of Rousseau, Hegel, and Bosanquet. Nevertheless, the notion that the state embodies our real will, our true morality, our true freedom, as against our actual will, which is said to represent a false morality, is incompatible with the democratic principle. For democracy, if I understand it correctly, stands above all else for a method whereby men can resolve peacefully which of competing moralities shall temporarily prevail. It cannot—if it is to remain a democracy—maintain that it has discovered the true morality which shall henceforth bind all men. Yet when the government of a democratic state demands of a citizen that he surrender his conscience to the state—as it demanded of Jehovah's Witnesses that they (or their children) salute the flag—it in effect demands that he submit to the true morality. From this point of view, imprisonment for civil disobedience becomes, paradoxically, a prolonged appeal to the prisoner's conscience, detention being but a means of permitting his conscience time in which to adjust,³⁴ after the state has by putting him in prison already denied the validity of his conscience.

³³ This, indeed, is what Lincoln frankly urged in his address in 1838 on "The Perpetuation of Our Political Institutions": "Let every American, every lover of liberty, every well wisher to his prosperity, swear by the blood of the Revolution, never to violate in the least particular, the laws of the country; and never to tolerate their violation by others. . . . let every man remember that to violate the law, is to trample on the blood of his father, and to tear the character of his own, and his children's liberty. Let reverence for the laws, be breathed by every American mother, to the lisping babe, that prattles on her lap—let it be taught in schools, in seminaries, and in colleges; let it be written in primers, spelling books, and in Almanacs;—let it be preached from the pulpit, proclaimed in legislative halls, and enforced in courts of justice. And, in short, let it become the *political religion* of the nation; and let the old and the young, the rich and the poor, the grave and the gay, of all sexes and tongues, and colors and conditions, sacrifice unceasingly upon its altars." *Abraham Lincoln: His Speeches and Writings*, ed. Roy P. Basler (Cleveland, 1946), pp. 80–81.

³⁴ In employing here a modified phrase from Professor Stone, *The Province and Function of Law* (cited in note 9), p. 228, I do not mean to associate him with the doctrine in the text.

To escape this dilemma democracy must deny the theological sanction. It cannot assume what Eric Voegelin suggests the Oxford political philosophers have assumed: namely, that by the mystery of incarnation the principles of right political order have become historical flesh more perfectly in their country than anywhere else at any time.³⁵ It must recognize that the political order is not perfect and that the laws are not always just. It must affirm no more than that a law is law not because it is absolutely good or right but because a legal majority has decreed it. Democracy would, of course, insist that it is right for the majority to have this power, and that men should respect this right of the majority as a necessary condition of democracy. But if it is true that the majority may act wrongly—i.e., affront on intrinsic or instrumental grounds the notion of justice held by a dissenting individual or minority—such insistence leads to the paradoxical principle that while the system and the laws that institutionalize that system are just, particular laws emanating from the system may be wrong and therefore unjust. A just system may produce unjust laws.

Now the Aristotelian question—whether a good man can always be a good citizen—has traditionally formed the basis for the problem of political obligation. But if there is validity to the conception of citizenship that I have argued here, the mark of the good citizen—at least in a democracy—is not loyalty to the laws but loyalty to the system, to the principle of democracy itself. The good citizen is obligated not to the sovereign but to all that the sovereign stands for.³⁶ Consequently, law can command his allegiance not because it is law but because it serves something that is good, because it respects the system of democracy and the purposes for which the democratic state exists.³⁷ If he obeys simply because it is law, he worships means, not ends; and this is surely a perversion of purpose.

When, therefore, a government holding office and trust under that system so acts—whether directly through its laws or indirectly through non-legal sanctions and the cultivation of a climate of opinion characterized by suspicion and fear—as to deny or to threaten the integrity of the system itself, it creates a situation in which men loyal to democracy may be compelled to defend it against the laws.

It has been urged, not perhaps without reason, that such defense should look

³⁵ Eric Voegelin, "The Oxford Political Philosophers," *The Philosophical Quarterly*, Vol. 3, pp. 97-114, at p. 100 (April, 1953).

³⁶ This is not, perhaps, inconsistent with Aristotle who, while he defines a citizen as "one who obeys the magistrate" (*Politics*, 1277a), also affirms that the one care common to all the citizens—that which describes a citizen—is "the safety of the community" (*ibid.*, 1276b).

³⁷ Despite certain phrases in which Professor Barker seems to argue that obedience to the law is the highest political obligation (*op. cit.*, p. 194), I take his general position to be in accord with the proposition affirmed here: that it is the state, not the law, which merits that obedience. Clearly, he concurs with the further judgment that since the state is less than society, obedience to law must be subordinate to obedience to right, the highest moral obligation. *Ibid.*, pp. 193, 221 ff.

first to the democratic processes of persuasion and election.³⁸ But where it is precisely these processes that the laws attack, where the incursions of government are upon freedom of opinion and the elements of democratic procedure, this may well prove a vain hope. Men are not without warrant in saying today what men have all too often had to say before: the times are "out of joint." Once again, this is a moment when the ordinary rules of decency are to some men in power apparently unknown, when some men cloaked in the sanctity of the law seek to exorcise the spirit of free inquiry.³⁹ Under such circumstances, it may well be that obedience to democracy can best, and perhaps only, be served by disobedience to the laws. It may well be that men of moral sensitivity and courage will have to say, with Thoreau: "They are the lovers of law and order who observe the law when the government breaks it."⁴⁰

VI

Whether laws prescribing affirmations of loyalty, or sustaining legislative inquiries into one's past or present beliefs and associations, or proscribing the expression of revolutionary ideas, are of this variety, each man must judge for himself. If he dislikes such laws but does not regard them to be a crucial violation of or threat to democracy, he will obey them. If, however, he views such measures as destructive of the very principles that constitute the system to which he has given his allegiance and which he is pledged to uphold, he may see no moral alternative to disobedience.⁴¹ In the judgment of others, his conscience may be wrong; but if he is to retain his dignity as a man he must act upon it. He may fail by such action to impress the value of his idea on others, but in no other way can he hope to correct the tragic lesson of history which "shows that good causes are more often defeated by negligence in the pursuit of the right than by positive forces of evil."⁴²

So long as a man comes to this decision honestly, in accord with moral prin-

³⁸ So Lincoln in the address cited earlier (note 33, above, Basler, p. 81: "... bad laws, if they exist, should be replaced as soon as possible, still while they continue in force, for the sake of example, they should be religiously observed."

³⁹ It is well to recall the insight of Spinoza: "All men are born ignorant, and before they can learn the right way of life and acquire the habit of virtue, the greater part of their life . . . has passed away." Spinoza, *Tractatus Theologico-Politicus*, trans. R. H. M. Elwes, Ch. 16.

⁴⁰ "Slavery in Massachusetts," in *op. cit.*, p. 669. Compare the principles and grounds of justifiable disobedience in Franz L. Neumann, "On the Limits of Justifiable Disobedience," in *Conflict of Loyalties*, ed. R. M. MacIver (New York, 1952), pp. 49-56.

⁴¹ Apart, of course, from the submission that looks to God. So Hobbes argued (*De Cive*, XVIII, 13): "Must we resist princes, when we cannot obey them? Truly, no; for this is contrary to our civil covenant. What must we do then? Go to Christ by martyrdom. . . ." And so the author of the *Vindiciae contra tyrannos* (trans. as Hubert Languet, *A Defence of Liberty against Tyrants*, ed. Harold J. Laski [London, 1924], p. 210), who, in the silence of the magistrates and the failure of men to run away, insisted that "there are no other weapons to be used, but bended knees and humble hearts."

⁴² M. R. Cohen, *The Meaning of Human History* (La Salle, Ill., 1947), p. 296.

ciples to which he is firmly committed, and so long as his act of disobedience is calculated—taking the whole situation into view—to achieve a greater good than is likely to be achieved by his acquiescence, I cannot believe that he can be said to have denied his fundamental obligation either as a good man or as a good citizen.⁴³

⁴³ To rely on conscience, integrity, and the capacity of man to judge rationally the probable consequences of his act of disobedience is insufficient, perhaps, to meet the objection of those who demand proof both of moral inescapability and of intellectual adequacy. But in the absence of an ethical absolutism and of a determinate aristocracy that embodies this alleged moral and intellectual superiority—and clearly democracy cannot in principle admit either alternative—I see no way to escape this trust.

NATIONALISM IN TROPICAL AFRICA*

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Postwar uprisings and nationalist assertions in Tropical Africa—that part of the continent south of the Sahara and north of the Union—have directed increased attention towards the nature and implications of the awakening of the African to political consciousness. Among scholars this neglected area has long been the preserve of the scientific linguist or of the social anthropologist; only recently have American sociologists, economists, and political scientists developed an active interest in its problems.¹ As a consequence, apart from certain efforts by anthropologists to popularize their findings and insights we have been obliged to rely primarily upon the somewhat contradictory accounts of colonial governments seeking to explain imperial connections, or of African nationalists determined to achieve self-government and the good life of which national self-determination has become the symbol.² Thus, we have been placed in the uncomfortable position of having to formulate opinions and policy and to render judgments without sufficient knowledge, or, what could be worse, on the basis of evaluations provided by participants in the nationalist struggle. There is, therefore, a very real need for independent and objective research regarding the character and probable course of African nationalist development.

I. WHAT IS AFRICAN NATIONALISM?

(Not the least burdensome of our tasks is the problem of correlating or distinguishing between the generally accepted political concepts elaborated with specific reference to developments in the Western World (i.e., state, nation, nationality, nationalism) and the conceptual tools developed by the Africanists.) The latter have tended to feel that the traditional concepts and methods of the political scientist are unserviceable in the study of the political structure and life of pre-literate societies.³ Yet notwithstanding the importance of the

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¹ Two notable prewar exceptions were Professor Raymond Leslie Buell and Dr. Ralph J. Bunche.

² As an excellent example of the application of the insights of anthropology to the problems of political development in this area, see William R. Bascom, "West and Central Africa," in *Most of the World*, ed. Ralph Linton (New York, 1949), pp. 331–405. For a historian's appraisal, see Vernon McKay, "Nationalism in British West Africa," *Foreign Policy Reports*, Vol. 24, pp. 2–11 (March 15, 1948).

³ *African Political Systems*, eds. M. Fortes and E. E. Evans-Pritchard (New York, 1940), pp. 4 ff. Insofar as traditional concepts and methods are concerned, ethnocentrism has been freely confessed by political scientists in recent self-criticism. See David Easton, *The Political System* (New York, 1953), pp. 33 ff.; also Report of the Inter-University

lineage, clan, or tribe; the role of the diviner, the chief, or the age-grade society; or the wide variations in the organization of power within such societies, the concept and the institution of the modern nation-state, towards the creation of which African nationalism tends to be directed, is distinctly Western in its form and content.) It is as exotic to Africa as Professor Toynbee has suggested that it is to the rest of the non-European world.⁴ Nevertheless, just as the Indian National Congress has largely created an Indian nation, so African nationalists are endeavoring to mould new nations in Africa (e.g., "Ghana," "Nigeria," and "Kamerun").)

On the level of abstraction at which the political scientist is accustomed to roam, a nation is not a loose catch-all term denoting a larger grouping of tribes (e.g., Zulus, Basutos, Mende, Buganda, or Hausa); rather it is a post-tribal, post-feudal terminal *community* which has emerged from the shattering forces of disintegration that characterize modernity. This does not mean that the Hausa peoples of Northern Nigeria cannot become a nation, nor does it mean that the "national" consciousness of the ordinary Hausaman must reach the level of intensity of the average Frenchman before there is a nation. It does suggest, however, that there must be a much greater awareness of a closeness of contact with "national" compatriots as well as with the "national" government.⁵ This closeness of contact on the horizontal and vertical levels has been a distinctly Western phenomenon, for the obvious reason that it is the result of modern technology.

Not only is a political scientist quite precise in his use of the concept "nation," but in poaching on the insights of the Africanists (he also finds it difficult to place under the cover of "nationalism" all forms of past and present discontent and organizational development in Africa.) Thus, it is believed useful at the outset to distinguish the following:

Summer Seminar on Comparative Politics, Social Science Research Council, this REVIEW, Vol. 47, pp. 641-57, at pp. 642-43 (Sept., 1953). Amongst the modernists in political science one finds the argument that the political scientist should not be rejected too readily since he has developed skills and acquired insights that might well shed new light on the political process and pattern of government of pre-literate societies after the anthropologist has exhausted his resources. Another argument, rather different, is that such societies might profitably be regarded as microcosms in which the political scientist can discern with greater clarity the essentials of government that might be obscured in the more complex Western systems. A final argument might be found in the recent psycho-cultural studies, especially in terms of their implications for policy formulation. See Ithiel de Sola Pool, "Who Gets Power and Why," *World Politics*, Vol. 2, pp. 120-34 (Oct., 1949).

⁴ Arnold Toynbee, *The World and the West* (New York, 1953), pp. 71 ff. It is difficult to accept without qualification Professor Toynbee's argument that the "national state" was a "spontaneous native growth" in Europe. One could argue that the centrally-minded, nation-building elites of emergent Asia and Africa are but the present-day counterparts of the centralizing monarchs of early modern Europe.

⁵ Royal Institute of International Affairs, *Nationalism* (London, 1939), pp. 1-7; Karl W. Deutsch, *Nationalism and Social Communication* (New York, 1953), pp. 1-14.

A. Traditionalist Movements.

- ✓ 1. Spontaneous movements of resistance to the initial European occupation or post-pacification revolts against the imposition of new institutions, or new forms of coercion, referred to herein as "primary resistance."
- ✓ 2. Nativistic, mahdistic, or messianic mass movements—usually of a magico-religious character—which are psychological or emotional outlets for tensions produced by the confusions, frustrations, or socio-economic inequalities of alien rule, referred to herein as "nativism."⁶

B. Syncretistic Movements

- ✓ 1. Separatist religious groups, which have seceded and declared their independence from white European churches either because of the desire for religious independence or because the white clerics were intolerant regarding certain African customs; hereafter referred to as "religious separatism."⁷
- ✓ 2. Kinship associations, organized and led by the Western-educated and urbanized "sons abroad" for the purposes of preserving a sense of identity with the kinfolk in the bush and "brothers" in the impersonal urban center, as well as of providing vehicles for pumping modernity—including the ideas and sentiment of nationalism—into the rural areas.⁸
- ✓ 3. Tribal associations, organized and led by Western-educated elements—usually in collaboration with some traditionalists—who desire to resurrect, or to create for the first time, a tribal sentiment ("tribalism"), for the purpose of establishing large-scale political units, the boundaries of which will be determined by tribal affiliation (i.e., those who accept the *assumption* of common blood and kinship) and the forms of government by a syncretism of tribal and Western institutions.⁹

⁶ Nativism is here used in its broad and universal sense, as defined by the late Professor Ralph Linton: "Any conscious, organized attempt on the part of a society's members to revive or perpetuate selected aspects of its culture." See his "Nativistic Movements," *American Anthropologist*, Vol. 45, pp. 230-40, at p. 230 (April-June, 1943). The concept thus includes traditionalist movements in either the European or non-European world. This point is stressed because of the understandable sensitivity of many educated Africans to the root word "native," which as a result of the colonial experience tends to carry with it the connotation of inferiority. See also A. LeGrip, "Aspects Actuels de L'Islam en A.O.F.," *L'Afrique et l'Asie*, pp. 6-20 (No. 24, 1953); Katesa Schlosser, *Propheten in Afrika* (Albert Limbach Verlag, 1949).

⁷ Daniel Thwaite, *The Seething African Pot* (London, 1926), pp. 1-70; George Shepperson, "Ethiopianism and African Nationalism," *Phylon*, Vol. 14, pp. 9-18 (1st Quarter, 1953); Hilda Kuper, "The Swazi Reaction to Missions," *African Studies*, Vol. 5, pp. 177-88 (Sept., 1946); Jomo Kenyatta, *Facing Mount Kenya* (London, 1953), pp. 269-79.

⁸ James S. Coleman, "The Role of Tribal Associations in Nigeria," Proceedings of the Second Annual Conference of the West African Institute of Social and Economic Research, Ibadan, Nigeria, April, 1952. See also *East Africa and Rhodesia*, October 5, 1951, p. 106: "Nairobi is the happy hunting ground for the organizers of tribal associations, as there are to be found in the city representatives of practically every tribe in East and Central Africa." Also K. A. Busia, *Report on a Social Survey of Takoradi-Sekondi* (Accra, Government Printer, 1950).

⁹ Most advanced amongst the Yoruba, Ibo, Ibibio, Ewe, Buganda, and Kikuyu peoples.

C. Modernist Movements

- ✓1. Economic-interest groups (labor unions, cooperative societies, professional and middle-class associations) organized and led by Western-educated elements for the purpose of advancing the material welfare and improving the socio-economic status of the members of those groups.
- ✓2. Nationalist movements, organized and led by the Westernized elite which is activated by the Western ideas of democracy, progress, the welfare state, and national self-determination, and which aspires *either*: (a) to create modern independent African nation-states possessing an internal state apparatus and external sovereignty and all of the trappings of a recognized member state of international society (e.g., Sudan, Gold Coast, Nigeria, and possibly Sierra Leone); *or* (b) to achieve absolute social and political equality and local autonomy within a broader Eur-African grouping (e.g., French and Portuguese Africa) or within what is manifestly a plural society (e.g., except for Uganda, the territories of British East and Central Africa).¹⁰
- ✓3. Pan-African or trans-territorial movements, organized and led by the Westernized elite, frequently in association with or under the stimulus of American Negroes or West Indians abroad, for the purposes of creating a global *racial* consciousness and unity, or of agitating for the advancement and welfare of members of the *African* race wherever they may be, or of devising plans for future nationalist activity in specific regions.¹¹

Once these very arbitrary analytical distinctions are drawn it should be stressed that none of the categories can be treated in isolation. Each of the movements is in one way or another a response to the challenge of alien rule, or of the intrusion of the disintegrating forces—and consequently the insecurity

¹⁰ The difference between the goal orientations of the two categories of movements is partly the result of the objectives of differing colonial policies (i.e., the British policy of self-government and differentiation versus the French, Portuguese, and in a qualified sense the Belgian policies of assimilation and identity) and in part the result of the presence or absence of a settled white population. Confronted with the overwhelming obstacles to the full realization of *African self-government*, African leaders in the second category tend towards the extreme either of accommodation (Union of South Africa) or of violence (Kenya). In the territories of the Central African Federation the leaders of the African Congress have tended not to define their ultimate objectives, preferring to act empirically. The strength and persistence of the autonomic drive is reflected, however, in their reported attraction to the original Gore-Brown partition plan adopted by the European Confederate party. See David Cole, "How Strong is the African National Congress," *New Commonwealth*, Vol. 27, pp. 5-10, at p. 9 (Jan. 4, 1954).

- ¹¹ For a variety of reasons these movements have thus far apparently accomplished little more than to dramatize their existence at infrequent *ad hoc* conferences. Until recently the initiative tended to be taken by Americans or West Indians of African descent (e.g., Marcus Garvey, W. E. B. DuBois, and George Padmore), although in the early 1920's there was a National Congress of British West Africa organized by the late Casely Hayford of the Gold Coast. Also, M. Blaise Diagne, a Senegalese, was President of the first Pan-African Congress in Paris in 1919. For recent pan-African nationalist activity in British West Africa see *West Africa*, Dec. 12, 1953, p. 1165; and for British Central Africa see Cole, *op. cit.*, p. 9.

—of modernity. (The recent so-called nationalism in Central Africa has been a mixture of "primary resistance" by the chiefs and traditionalists of Northern Rhodesia and Nyasaland and the nationalist agitation of the Westernized elite.) Until the project of Federation became an active issue, African movements in this area were confined principally to religious separatist groups, tribal associations, or, in the case of Northern Rhodesia, labor unions.¹² On the West Coast, where nationalism is far more advanced, traditionalist and syncretistic movements have not been and are not absent. In some instances, kinship associations and separatist religious groups have been the antecedents of nationalist organizations; in others they have provided the principal organizational bases of the latter (e.g., the National Council of Nigeria and the Cameroons was first inaugurated as a federation mainly of kinship associations, and the African National Congress of the Rhodesias and Nyasaland was the product of fusion of several African welfare societies). In certain cases unrest or protest of a nativistic flavor has been instigated by nationalists for their modernist ends; in others nationalists have claimed such uncoordinated uprisings, as well as purely economic protest movements, to be manifestations of "nationalism," when in reality the participants were unaware of such implications.

One of the interesting differences between prewar and postwar nationalism on the West Coast of Africa is that in the former period nationalism tended to be—as Lord Lugard insisted—the esoteric pastime of the tiny educated minorities of Lagos, Accra, Freetown, and Dakar; whereas in the latter period these minorities—greatly expanded and dispersed in new urban centers throughout the interior—have made positive efforts to popularize and energize the nationalist crusade in two ways.¹³ The first has been to preach education, welfare, progress, and the ideal of self-government among the masses, largely through the nationalist press, independent African schools, and kinship and tribal associations. The aim here has been, in the words of one of their leading prophets, Dr. Nnamdi Azikiwe of Nigeria, to bring about "mental emancipation" from a servile colonial mentality.¹⁴ The second method has been to tap all existing nativistic and religious tensions and economic grievances among the tradition-bound masses, as well as the grievances and aspirations of the urbanized clerks and artisans, and channel the energies thus unleashed into support of the nationalist drive. The technique here has been (1) to make nationalism, and in particular its objective of self-government, an integrating symbol in which even the most disparate goals could find identification, and (2) to politicize—one would like to say nationalize—all existing thought and associations. Until recently, many observers—including colonial administrators—tended to live in the prewar climate of opinion and therefore underestimated the power which had thus been harnessed to the nationalist machine.

In the case of the Mau Mau movement in Kenya we are confronted with a

¹² See Ian Cunnison, "The Watchtower Assembly in Central Africa," *International Review of Missions*, Vol. 40, pp. 456-69 (Oct., 1951).

¹³ Sir F. D. Lugard, *The Dual Mandate in British Tropical Africa* (London, 1923), pp. 83 ff.

¹⁴ *Renasant Africa* (Lagos, 1937).

complex mixture of nationalism, with a strong traditional bias on the part of the Westernized leaders, and nativism, manipulated by the leaders, on the part of the masses. Both have been generated to an especially high level of intensity as a consequence of the acute and largely unassuaged sense of frustration on the part of the Westernized elite, growing out of the very bleak outlook arising from the almost total absence, until recently, of meaningful career and prestige opportunities within either the old or the new systems, and of the masses, resulting from the land shortage and the overcrowding on the reservations. The presence of a sizable Asian "third force," which virtually monopolizes the middle-class sector, and which has been and is politically conscious, provides a new variable of no little significance in the total situation. The fact that the pattern of organization and the strategy and tactics of the Mau Mau revolt indicate a higher level of sophistication than sheer nativism would imply suggests that our analytical categories need further refinement or qualification.

A particularly striking feature of African nationalism has been the literary and cultural revival which has attended it. A renewed appreciation of and interest in "African" culture has been manifested, in most instances by the most sophisticated and acculturated Africans (e.g., Mazi Mbono Ojike's *My Africa*, Dr. J. B. Danquah's studies of the Akan peoples of the Gold Coast, Jomo Kenyatta's *Facing Mount Kenya*, Fily-Dabo Sissoko's *Les Noirs et la Culture*, Léopold Sédar Senghor's *Anthologie de la Nouvelle Poésie Nègre et Malgache*, the French African journal *Présence Africaine* edited by M. Alioune Diop, and the writings of Antoine Munongo in the Belgian Congolese journal *Jeune Afrique*).¹⁵ In some cases this cultural renaissance has had a purely tribal emphasis; in others it has taken a "neo-African" form, such as the African dress of Dr. Nnamdi Azikiwe, nationalist leader in Nigeria. It has usually been accompanied by a quest for an African history which would in general reflect glory and dignity upon the African race and in particular instill self-confidence in the Western-educated African sensitive to the prejudiced charge that he has no history or culture. In short, there has emerged a new pride in being African. In French areas, the accent until recently has been upon French culture and literature, but there are increasing signs of a shift to African themes amongst the French African literati. The important point is that African nationalism has this cultural content, which renders more difficult any effort to separate rigidly the cultural nationalism of the urban politician from the nativism of the bush peasant.

Yet the differences are important to the student of African nationalism. Pri-

¹⁵ See Rosey E. Pool, "African Renaissance," *Phylon*, Vol. 14, pp. 5-8 (First Quarter, 1953); Albert Maurice, "Union Africaine des Arts et des Lettres," *African Affairs*, Vol. 50, pp. 233-41 (July, 1951); Alioune Diop, "Niam n'goura," *Présence Africaine* (Nov.-Dec., 1947), pp. 1-3. The cultural revival is the product of four forces: (1) reflection and introspection on the part of educated Africans, frequently those confronted with the stimulating contrasts of a foreign environment while abroad; (2) the American Negro renaissance which commenced in the 1920's; (3) encouragement and sponsorship of European governments and unofficial organizations such as the International African Institute; and (4) support of missionary societies such as the United Society for Christian Literature in the United Kingdom.

mary resistance and nativism tend to be negative and spontaneous revolts or assertions of the unacculturated masses against the disruptive and disorganizing stranger-invader. They are a reflection of a persistent desire of the masses to preserve or recreate the old by protesting against the new. Syncretism is different in that it contains an element of rationality—an urge to recapture those aspects of the old which are compatible with the new, which it recognizes as inevitable and in some respects desirable. Whereas all forms of protest are politically consequential—at least to colonial administrators—only nationalism is primarily political in that it is irrevocably committed to a positive and radical alteration of the power structure. In brief, nationalism is the terminal form of colonial protest.

Another reason for distinguishing between the various categories of assertion, which are basically differences in goal orientation, is not only to provide some basis for judging the nature of the popular support of a nationalist movement during its buildup, but also to have some means of predicting the stability and viability of the political order established by the nationalists once they achieve self-government. The governments of Pakistan, Burma, India, and Indonesia have each been plagued by internal tensions arising from what are fundamentally South Asian variants of traditionalism and tribalism. If a colonial nationalist movement comes to power atop a wave of mass protest which is primarily or even in part nativistic in character, this would have a direct bearing upon the capacity of the Westernized leaders of that movement, not only to maintain political unity and stability but also to carry out what is at the core of most of their programs—rapid modernization by a centralized bureaucratic machine. Any thorough study of the anatomy of a nationalist movement, therefore, must seek to determine the linkages and compatibilities between the goal orientations of the several forces from which that movement derives its élan and strength.

II. FACTORS CONTRIBUTING TO THE RISE OF NATIONALISM

It is far easier to define and describe nationalism than it is to generalize about the factors which have contributed to its manifestation. Put most briefly, it is the end product of the profound and complex transformation which has occurred in Africa since the European intrusion. It is a commonplace that the imposition of Western technology, socio-political institutions, and ideology upon African societies has been violently disruptive of the old familistic order in that they have created new values and symbols, new techniques for the acquisition of wealth, status, and prestige, and new groups for which the old system had no place. The crucial point here is not that nationalism as a matter of fact happened to appear at a certain point in time after the "Western impact," but rather that the transformation the latter brought about has been an indispensable precondition for the rise of nationalism. Nationalism, as distinguished from primary resistance or nativism, requires considerable gestation. A few of the constituent elements have been:

A. Economic¹⁶

1. *Change from a subsistence to a money economy.* This change, consciously encouraged by colonial governments and European enterprise in order to increase the export of primary products, introduced the cash nexus and economic individualism, altered the patterns of land tenure and capital accumulation, and, in general, widened the area of both individual prosperity and insecurity.

2. *Growth of a wage-labor force.* This development has resulted in the proletarianization of substantial numbers of Africans, which has weakened communal or lineage responsibility and rendered those concerned vulnerable to economic exploitation and grievances.)

3. *Rise of a new middle class.* Laissez-faire economics and African enterprise, coupled with opportunities for university and professional education, have been factors contributing to the growth of a middle class. This class is most advanced in Senegal, the Gold Coast, and Southern Nigeria, where it has developed despite successive displacement or frustration by the intrusion of Levantines and the monopolistic practices of European firms.

B. Sociological¹⁷

1. *Urbanization.* The concentration of relatively large numbers of Africans in urban centers to meet the labor demands of European enterprise has loosened kinship ties, accelerated social communication between "detrified" ethnic groups, and, in general, contributed to "national" integration.

2. *Social mobility.* The European-imposed *pax* coupled with the development of communications and transport has provided the framework for travel, the growth of an internal exchange economy, and socio-political reintegration.

3. *Western education.* This has provided certain of the inhabitants of a given territory with a common lingua franca; with the knowledge and tools to acquire status and prestige and to fulfill aspirations within the new social structure; and with some of the ideas and values by which alien rule and colonialism could be attacked. It has been through Western education that the African has encountered the scientific method and the idea of progress with their activist implications, namely, an awareness of alternatives and the conviction that man can creatively master and shape his own destiny.

C. Religious and Psychological¹⁸

1. *Christian evangelization.* The conscious Europeanization pursued by

¹⁶ L. P. Mair, "The Growth of Economic Individualism in African Society," *Journal of the Royal African Society*, Vol. 33, pp. 261-73 (July, 1934); Allan McPhee, *The Economic Revolution in British West Africa* (London, 1926); G. Wilson, *An Essay on the Economics of Detribalization in Northern Rhodesia*, Part I (Rhodes-Livingstone Institute, 1941). Cf. Karl Polanyi, *Origins of Our Time* (London, 1946); P. C. Lloyd, "New Economic Classes in Western Nigeria," *African Affairs*, Vol. 52, pp. 327-34 (Oct., 1953).

¹⁷ J. D. Rheinallt Jones, "The Effects of Urbanization in South and Central Africa," *African Affairs*, Vol. 52, pp. 37-44 (Jan., 1953).

¹⁸ William Bascom, "African Culture and the Missionary," *Civilisations*, Vol. 3, pp. 491-501 (No. 4, 1953).

Christian missionary societies has been a frontal assault upon traditional religious systems and moral sanctions. Moreover, the Christian doctrine of equality and human brotherhood challenged the ethical assumptions of imperialism.

2. *Neglect or frustration of Western-educated elements.* Susceptibility to psychological grievance is most acute among the more acculturated Africans. Social and economic discrimination and the stigma of inferiority and backwardness have precipitated a passionate quest for equality and modernity, and latterly self-government. Rankling memories of crude, arrogant, or insulting treatment by a European have frequently been the major wellspring of racial bitterness and uncompromising nationalism.

D. Political

1. *Eclipse of traditional authorities.* Notwithstanding the British policy of indirect rule, the European superstructure and forces of modernity have tended to weaken the traditional powers of indigenous authorities and thereby to render less meaningful pre-colonial socio-political units as objects of loyalty and attachment. There has been what Professor Daryll Forde calls a "status reversal"; that is, as a result of the acquisition by youth of Western education and a command over Western techniques in all fields, there has been "... an increasing transfer of command over wealth and authority to younger and socially more independent men at the expense of traditional heads. . . ."¹⁹

2. *Forging of new "national" symbols.* The "territorialization" of Africa by the European powers has been a step in the creation of new nations, not only through the erection of boundaries within which the intensity of social communication and economic interchange has become greater than across territorial borders, but also as a consequence of the imposition of a common administrative superstructure, a common legal system, and in some instances common political institutions which have become symbols of territorial individuality.²⁰

These are a few of the principal factors in the European presence which have contributed to the rise of nationalism. As any casual observer of African developments is aware, however, there have been and are marked areal differences in the overt manifestation of nationalism. Such striking contrasts as the militant Convention People's party of the Gold Coast, the conservative Northern People's Congress of Nigeria, the pro-French orientation of the African editors of *Présence Africaine*, the cautious African editors of *La Voix du Congolais*, and the terroristic Mau Mau of Kenya are cases in point.

There are a number of explanations for these areal variations. One relates to the degree of acculturation in an area. This is a reflection of the duration and intensity of contact with European influences. The contrast between the advanced nationalism of the British West Coast and of Senegal and the nascent

¹⁹ Daryll Forde, "The Conditions of Social Development in West Africa," *Civilisations*, Vol. 3, pp. 471-85 (No. 4, 1953).

²⁰ See R. J. Harrison Church, *Modern Colonization* (London, 1951), pp. 104 ff.; Robert Montagne, "The 'Modern State' in Africa and Asia," *The Cambridge Journal*, Vol. 5, pp. 583-602 (July, 1952).

nationalism of British and French Central Africa is partly explicable on this basis.

A second explanation lies in the absence or presence of alien settlers. On this score the settler-free British West Coast is unique when contrasted to the rest of Africa. The possibility of a total fulfillment of nationalist objectives (i.e., *African* self-government) has been a powerful psychological factor which partly explains the confident and buoyant expectancy of West Coast nationalists. On the other hand, as previously noted, the tendencies toward accommodation or terrorism in the white-settler areas is a reflection of the absence of such moderating expectancy.

Certain African groups exposed to the same forces of acculturation and the same provocation have demonstrated radically different reactions. The Kikuyu versus the Masai peoples of Kenya, the Ibo versus the Hausa peoples of Nigeria, and the Creole and Mende of Sierra Leone are cases in point. It is suggested that the dynamism, militancy, and nationalist élan of the Ibo peoples of Nigeria are rooted partly in certain indigenous Ibo culture traits (general absence of chiefs, smallness in scale and the democratic character of indigenous political organization, emphasis upon achieved status, and individualism). Much of the same might be said for the Kikuyu peoples of Kenya.

Differing colonial policies constitute another cause of these areal differences. Nationalism is predominantly a phenomenon of British Africa, and to a lesser extent of French Africa. Apart from the influence of the foregoing historical, sociological, and cultural variables, this fact, in the case of British Africa, is explained by certain unique features of British colonial policy.

It was inevitable that Britain, one of the most liberal colonial powers in Africa, should have reaped the strongest nationalist reaction. A few of the principal features of British policy which have stimulated nationalism deserve mention:

1. *Self-government as the goal of policy.* Unlike the French and Portuguese who embrace their African territories as indivisible units of the motherland, or the Belgians who until recently have been disinclined to specify the ultimate goals of policy, the British have remained indiscriminately loyal to the Durham formula.²¹ In West Africa, this has enthroned the African nationalists; in Central and East Africa, the white settlers.

2. *Emphasis upon territorial individuality.* More than any other colonial

²¹ Regarding Belgian policy, see Pierre Wigny, "Methods of Government in the Belgian Congo," *African Affairs*, Vol. 50, pp. 310-17 (Oct., 1951). Wigny remarks (p. 311) that "... Belgians are reluctant to define their colonial policy. They are proud of their first realisations, and sure of the rightness of their intentions." Since this was written, there have been some very dramatic changes in Belgian policy, especially regarding the educated elite, the potential nationalists. The great debate in Belgian colonial circles on "le statut des Congolais civilisés" was terminated by four decrees of May 17, 1952 according to which educated Congolese are assimilated to Europeans in civil law. Regarding Portuguese policy, see Marcelo Caetano, *Colonizing Traditions, Principles and Methods of the Portuguese* (Lisbon, 1951). The keynote of the policy is the "spiritual assimilation" of the Africans to a "Portuguese nation dwelling in European, African, Asiatic and Indonesian Provinces." The African *civilizado* is thus a citizen of Portugal.

power, the British have provided the institutional and conceptual framework for the emergence of nations. Decentralization of power, budgetary autonomy, the institution of territorial legislative councils and other "national" symbols—all have facilitated the conceptualization of a "nation."²²

3. *Policy on missionaries and education.* The comparative freedom granted missionaries and the laissez-faire attitude toward education, and particularly post-primary education, has distinguished and continues to distinguish British policy sharply from non-British Africa.

4. *Neglect, frustration, and antagonism of educated elite.* Not only have more British Africans been exposed to higher education, but the British government until recently remained relatively indifferent to the claims and aspirations of this class, which forms the core of the nationalist movements.

5. *Freedom of nationalist activity.* The comparative freedom of activity (speech, association, press, and travel abroad) which British Africans have enjoyed—within clearly defined limits and varying according to the presence of white settlers—has been of decisive importance. It is doubtful whether such militant nationalists as Wallace-Johnson of Sierra Leone, Prime Minister Kwame Nkrumah of the Gold Coast, Dr. Nnamdi Azikiwe of Nigeria, Jomo Kenyatta of Kenya, and Dauti Yamba of the Central African Federation, could have found the same continuous freedom of movement and activity in Belgian, Portuguese, and French Africa as has been their lot in British Africa.²³

All of this suggests that African nationalism is not merely a peasant revolt. In fact, as already noted, nationalism where it is most advanced has been sparked and led by the so-called detribalized, Western-educated, middle-class intellectuals and professional Africans; by those who in terms of improved status and material standards of living have benefitted most from colonialism; in short, by those who have come closest to the Western World but have been denied entry on full terms of equality. From this comparatively affluent—but psychologically aggrieved—group have come the organizers of tribal associations, labor unions, cooperative groups, farmers' organizations, and—more recently—nationalist movements. They are the Africans whom British policy has done most to create and least to satiate.²⁴

²² Partly in response to nationalist pressures, the French Government has recently initiated certain measures of financial devolution to French West Africa. See G. Gayet, "Autonomies financières Française," *Civilisations*, Vol. 3, pp. 343–47 (No. 3, 1953). These measures may enhance the powers of the territorial assemblies to the point that the latter might ultimately become the foci for territorial nationalisms.

²³ The stringent police measures adopted recently in Kenya and Nyasaland, the special press laws which have long been in effect in British East and Central Africa, and the obstacles to nationalist activity which have existed in the Muslim areas of Northern Nigeria, do not necessarily invalidate this comparative historical generalization.

²⁴ The thesis here is that there are at least four ingredients in the psychology of colonial nationalism, and that British policy in Africa has come closest towards inculcating or providing them: (a) an awareness of the existence or possibility of alternatives to the status quo, a state of mind produced by Western education and particularly by study and travel abroad; (b) an intense desire to change the status quo; (c) a system within which the major alternative to the status quo—self-government—has the status of legitimacy; and (d) an area of relative freedom in which that legitimate alternative may be pursued.

This brief and selective treatment of a few of the factors which have contributed to the African nationalist awakening suggests certain avenues which might be profitably explored and more fully developed by subsequent research. Specifically, what is the relationship between the nature and intensity of nationalism and the degree of urbanization, the degree of commercialization of agriculture, and the size and geographical distribution of the wage-labor force and salariat? In short, what is the causal connection between "detrribalization" and nationalism? Certain aspects of such an inquiry could be subjected to statistical analysis, but the results could only be suggestive, and in some instances might be positively deceptive. In the case of urbanization, for example, the highly urbanized and acculturated Yoruba peoples of Nigeria for nearly a decade lagged far behind the Ibo peoples in nationalist vigor and élan. Ibadan, the largest urban center in tropical Africa, has been until recently one of the most politically inert towns of Nigeria. Again, in terms of the proletarianization of labor and urbanization resulting from European industrialism and commercial activity, the Belgian Congo is one of the most advanced territories, but one in which nationalism is least in evidence.²⁵ Freetown, Sierra Leone, one of the oldest non-traditional urban centers, became a haven of respectability and conservatism, being eclipsed by the less-developed Protectorate in the push towards nationalist objectives. Urbanization has been an important ingredient in the nationalist awakening, but it has been a certain type of urban development—mainly the impersonal and heterogeneous "new towns"—which has occurred in conjunction with other equally decisive factors.

In the case of the relationship between the degree of commercialization of land and labor and the degree of nationalism, the figures set forth for the Gold Coast in Table I suggest either a causal connection or a parallel development. Yet in turning to similar figures for other territories—especially the Belgian Congo and Nigeria—it is clear that the relationship between commercialization and nationalism, important though it may be, must be considered and interpreted in the light of other variables.

Again, the fact that the nationalist movements have been organized and led by intellectuals and the so-called middle class suggests a relationship between nationalism and the number of Africans with higher education, the size of per capita income, the degree of the individualization of land tenure, the size of middle-class and professional groups (i.e., independent traders, produce middlemen, farmers employing labor, druggists, lorry owners, lawyers, doctors, etc.), and the degree of vertical mobility within the emergent socio-economic structure. In any event, the insights of an economist are indispensable for a complete anatomy of African nationalism.

The Christian missionaries have been blamed frequently for their ruthless assault upon native religious systems and the thoroughgoing Europeanization, conscious or implicit, in their evangelization. This has suggested the formula: missionaries = detrribalization = nationalism. Yet the postwar figures shown in

²⁵ The Belgian policy of stabilization of labor in the urban centers of the Congo, in which 83% of the men have their families with them, is one of the several factors which may help to explain this.

TABLE I. COMMERCIALIZATION AND NATIONALISM IN CERTAIN AFRICAN TERRITORIES

Territory	Percentage of Cultivated Land Used by Africans for Commercial Production (1947-1950)*	African Wage Earners as Percentage of Total African Population (1950)†	Degree of Overt Nationalism
Gold Coast	75%	9.0%	Advanced
Belgian Congo	42	7.6	None
Nigeria	41	1.2	Advanced
Uganda	33	3.9	Nascent
Kenya	7	7.6	Nascent

* E. A. Keukjian, "Commercializing Influence of the Development of Exports on Indigenous Agricultural Economics in Tropical Africa," unpub. diss. (Harvard Univ., June, 1953); United Nations, Economic and Social Council (15th session). *World Economic Situation. Aspects of Economic Development in Africa*. New York, Document E/2377, March 20, 1953.

† United Nations, Department of Economic Affairs. *Review of Economic Conditions in Africa (Supplement to World Economic Report, 1949-50)*. New York, Document E/1910/Add.1 Rev.1-ST/ECA/9/Add.1, April, 1951, p. 76.

Table II do not bear out this assumption.²⁶ Missionaries have been important catalytic agents in the transformation of African societies, but the causal connection between their activities and nationalist assertion cannot be established by mere quantitative analysis. The figures in Table II hint at a possible causal relationship between preponderant Protestant evangelization and advanced nationalism (viz., Gold Coast and Nigeria) and preponderant Catholic evangelization and the absence of nationalism (viz., Portuguese Angola and the Belgian Congo). Yet this connection must be examined in the light of other relevant factors, such as the degree of control and direction extended to missionary societies by colonial governments; the freedom allowed such societies to establish schools—particularly secondary schools—and to determine the curriculum; the tolerance accorded anti-white or anti-colonial sects (e.g., the Jehovah's Witnesses are permitted in most of British Africa but proscribed in non-British

TABLE II. CHRISTIANITY AND NATIONALISM IN CERTAIN AFRICAN TERRITORIES

Territory	Percentage of Christians to Total Population	Percentage of Protestants to All Christians	Percentage of Catholics to All Christians	Degree of Overt Nationalism
Belgian Congo	37%	29%	71%	None
Nyasaland	26	49	51	Nascent
Gold Coast	15	58	42	Advanced
Angola	15	22	78	None
Kenya	10	51	49	Nascent
Nigeria	5	67	33	Advanced

²⁶ *World Christian Handbook* (London, 1949).

Africa); the latitude allowed African sects of a syncretistic, revivalistic, or puritanical character; the extent to which evangelical bodies have *Africanized* their church organization, the priesthood, and the propagation of the gospel; and, finally, the strength of Islam.

The corrosive influence of Western education has been a significant ingredient in the rise of nationalism. Yet the Belgian Congo claims a higher percentage of literacy than any other colonial territory in Africa.²⁷ In order to establish a relationship we must move beyond the superficial analysis of literacy statistics and ask the following questions:

1. *The nature of the curriculum.* Has it been and is it literary and based upon the model of a European grammar school, or is it practical and designed to train the student to be a good farmer, artisan, or clerk in European employ, and incidentally to limit his sophistication and contact with unsettling ideas? Is instruction conducted in the vernacular or in a European language?

2. *Opportunities for post-primary education.* Are secondary schools (particularly those operated by missionary societies or by enterprising and nationalist-minded Africans such as Eyo Ita in Nigeria or Jomo Kenyatta in Kenya) allowed to mushroom into existence, or are they carefully planned and rigidly controlled by the colonial government as to both number and curriculum? What are the opportunities for study in universities abroad? What is the latitude granted students to determine their own careers? Here we touch upon a crucial factor—in 1945, Freetown, Sierra Leone, and Lagos, Nigeria, each had more Western-type secondary schools than all of the non-British territories in Africa combined. In 1952 over 4,000 Africans from British territories were studying in universities and technical schools abroad and nearly 1,000 in territorial universities in Africa, whereas only a handful had such opportunity or inclination in Belgian and Portuguese Africa. This is in part a reflection of the existence of a larger African middle-class in British Africa, but it is also the result of the unique British attitude regarding the relationship between higher education and emergent African leadership. French policy and practice, despite differing assumptions, most closely approximate those of the British.²⁸

3. *Openings of careers for the talented.* The stability of any political or social order is determined by this factor. Is there any planned relationship between the output of the schools and opportunities for satisfying employment or

²⁷ United Nations, *Non-Self-Governing Territories*. Vol. III: *Special Study on Education*. New York, Document ST/TRI/SER.A./5/Add. 2, January, 1951.

²⁸ By decree of April 16, 1950, the *Institut des Hautes Études* was established at Dakar; and on January 1, 1952, there were 1,640 scholarship holders in continental France, of whom 572 were pursuing higher education. *Civilisations*, Vol. 3, pp. 575–83 (No. 4, 1953). On British educational policy in tropical Africa see *African Education* (Oxford: The Nuffield Foundation and the Colonial Office, 1953). The Belgians within the past few years have dramatically reoriented their policy regarding higher education for the Congolese. Since 1952 Congo students have been admitted to the Albert I College at Leopoldville; the first Negro University of the Congo is scheduled for opening in 1954; and recently the Belgian press has drawn attention to the admission to Louvain University of a Negro student from the Congo. *Civilisations*, Vol. 3, pp. 599–602 (No. 4, 1953).

careers? In French and Belgian Africa, colonial governments have maintained a stringent control over the supply-demand situation as between *post-primary* schools and the requirements of government and the developing economy. In British Africa there are hundreds of thousands of unemployed or under-employed "Standard VI" boys clustered in the coastal towns and urban centers of the interior.

The most potent instrument used in the propagation of nationalist ideas and racial consciousness has been the *African-owned* nationalist press. In Nigeria alone nearly 100 newspapers or periodicals have been published by Africans since the British intrusion, of which 12 dailies and 14 weeklies—all African owned—are currently in circulation. The crucial role performed in the nationalist awakening by African journalistic enterprise on the British West Coast is well known.²⁹ Until the publication of *Afrique Noire* (organ of the *Rassemblement Démocratique Africain* of French West Africa) there was nothing in non-British Africa which even closely approximated this development. And even this journal is no match for the pungent criticism and racial consciousness one finds in the pages of Dr. Nnamdi Azikiwe's *West African Pilot* in Nigeria.³⁰ Needless to say, the nationalist press is one of our major sources of data regarding nationalist motivation, objectives, and organization. It is not the number of newspapers published which is significant, but rather the volume of circulation and areal distribution, the news and editorial content and the nature of the appeal, the types of readers, the existence of competitive papers sponsored by colonial governments, the financial stability of the paper, and other factors which would reflect its impact and influence upon the ideas, aspirations, and activities of those literate groups predisposed towards nationalism.

These are but a few of the more important factors in the rise of nationalism which require evaluation and weighting before the student of comparative colonial nationalism can go beyond the mere description of the history and anatomy of a particular nationalist movement. There is great danger in doing a disservice to scholarly research in Africa if one generalizes on the basis of observations made and data assembled in one territory. As has been suggested, there are certain general predisposing and precipitating causes of modern nationalism which are applicable to the whole continent; yet once these are mentioned, it is necessary to examine each area of nationalist activity for that special combination of factors which explains the origin, strength, and orientation of its nationalist movement.

²⁹ Compare with the number of *African-owned-and-edited* dailies and weeklies (combined total) in the following territories: *British Africa*: Gold Coast (17), Uganda (8), Sierra Leone (7), Gambia (3); *French West Africa* (10); and none, insofar as is known, in Belgian, Portuguese, or Spanish Africa; or in Kenya, the territories of the Central African Federation, or in the Union of South Africa.

³⁰ On the other hand, there appears to be no newspaper in British West Africa comparable with the European-owned-and-edited journal of French West Africa entitled *Les Echos de l'A.O.F.*, which "week after week passionately attacks the administration. . . ." See Thomas Hodgkin, "The Metropolitan Axis," *West Africa*, January 9, 1954, at p. 6.

III. FACTORS CONDITIONING NATIONALIST DEVELOPMENT

Normally, a colonial nationalist movement directs its efforts towards the attainment of two main objectives: (1) the achievement of self-government, and (2) the creation of a cultural or political sense of nationality and unity within the boundaries of the area of the nation to be. Nationalists are obliged to adopt the second objective because imperial powers either did not or could not establish political boundaries which embraced only one self-conscious cultural unit; and certainly those powers made no conscious effort to build nations. The nationalist dilemma is that in most cases pursuit of the primary goal (self-government) lessens the likelihood of achieving the secondary goal (cultural and political unity). Put another way, the drive behind African nationalism in many instances is not the consciousness of belonging to a distinct politico-cultural unit which is seeking to protect or assert itself, but rather it is the movement of racially-conscious modernists seeking to create new political and cultural nationalities out of the heterogeneous peoples living within the artificial boundaries imposed by the European master. Their task is not only to conduct a successful political revolution and capture power, but also the painful job of national political integration. And as Professor Crane Brinton has shown, the lessons of history are that nation-building is the product of both consent and coercion, and usually the latter.³¹ It is the colonial power, of course, which has had a monopoly over the means of coercion.

The major factor conditioning the development of a particular nationalist movement, therefore, is the degree of internal politico-cultural unity, tolerance, or compatibility amongst the peoples of the area moving into its national era. Disunities can exist in a given territory for a variety of reasons:

1. Traditional pre-colonial hostilities and cultural incompatibilities such as exist between the Kikuyu and Masai peoples of Kenya, or the Ibo and the Tiv peoples of Nigeria. In some instances these have been exacerbated as a result of imperial policies; in others as a consequence of the mere fact of lumping them together and endeavoring to impose territorial uniformity.

2. Tensions between groups resulting from unevenness in development, acculturation, and the acquisition of modernity. These can be the product of original cultural differences (i.e., the variations between groups in their receptivity and adaptability to modernity—e.g., the Ibo and Hausa); historical circumstances (i.e., differences in the duration and intensity of the European impact—e.g., the Creoles of Freetown vs. the Mende peoples of the Protectorate of Sierra Leone); or of constitutional reforms pointing towards African self-government. One could argue that Ibo-Yoruba hostility in Nigeria is the product of all three factors. Just as the advance towards independence precipitated a cleavage between Muslims and Hindus in India, so has the development of nationalism and the move towards self-government in Africa brought to light a multitude of disunities. Fear of domination by the more advanced and acculturated groups—European or African—is one obvious explanation.

³¹ Crane Brinton, *From Many One* (Cambridge, Mass., 1948).

3. Tensions between the Westernized elite—the nationalists—and the traditionalists and the masses. This nationalist disability has tended to be exaggerated in the past, usually by imperial spokesmen endeavoring to repudiate the nationalists or to isolate them from the traditionalists. The intensity of the cleavage varies widely according to circumstances. In several areas such as the Protectorate of Sierra Leone, the Northern Territories of the Gold Coast, Western and Northern Nigeria, amongst the Kikuyu in Kenya, and in Northern Rhodesia and Nyasaland the educated nationalists and some leading traditionalists have cooperated in varying degrees.

4. Differences within the ranks of the Westernized elite. These disagreements—and one is struck by their persistence, strength, and virulence—may arise from several causes, including normal competition for power and prestige or honest differences over aims, timing, or methods to be employed in the nationalist drive. Such differences as separate Messrs. Fily-Dabo Sissoko and Mamadou Konaté in the French Sudan; Lamine Gueye and Léopold Senghor in Senegal; Felix Houphouët-Boigny and Kouame Binzème in the Ivory Coast; Prime Minister Kwame Nkrumah and Dr. J. B. Danquah in the Gold Coast; the Sardauna of Sokoto, Obafemi Awolowo, and Dr. Nnamdi Azikiwe in Nigeria; Eliud Mathu and Jomo Kenyatta in Kenya; and Harry Nkumbula and Godwin Lewanika in Central Africa, have very materially affected the course and strength of nationalism in the territories concerned.

These nationalist disabilities are the product of a complex mixture of hard historical and cultural facts, of changes introduced and differentials created by the Western intrusion, as well as of the provocations of the nationalist drive itself. The success of any nationalist movement will in a large measure depend upon the extent to which these internal tensions are softened or dissipated. The latter will depend, in turn, upon the degree of repressive opposition, or unwitting or intentional cooperation, of colonial governments; upon the development of pan-territorial political associations, the membership of which is rooted in all ethnic groups and in which there is free vertical mobility into the "upper crust" which that membership constitutes; upon the emergence of pan-territorial economic-interest groups (e.g., middle-class associations or labor organizations); and upon many other sociological processes (out-group marriages, commonsality, etc.) which Professor Karl W. Deutsch has suggested are essential building blocks of any new national community.³²

It would be naive and unhistorical to argue that a large measure of politico-cultural integration is required—as distinguished from being desirable—in order for a nationalist movement to succeed in wresting self-government from an imperial power. Most successful colonial nationalist movements have been organized and led by small minorities which have been able either to gain the support of the masses or to capitalize upon their inertia and apathy. It would be unrealistic, however, to contemplate the success of a movement which did not have at least a minimum of unity or tolerance within the "upper crust," even

³² "The Growth of Nations," *World Politics*, Vol. 5, pp. 168-96 (Jan., 1953).

though it be of the sort displayed by the unstable truces negotiated from time to time between the Sardauna of Sokoto, Mr. Obafemi Awolowo, and Dr. Nnamdi Azikiwe, the regional leaders in Nigeria.

Some of these forces contributing towards integration are measurable and provide rough indices upon which the research scholar can base predictions of the development of a particular nationalist movement. In an interesting new theory regarding the growth of nations, Professor Deutsch has suggested certain criteria which might be profitably employed in seeking to determine the prospects of success of a nationalist movement in its nation-building endeavors.³³ His central thesis is that cases of successful political integration in history show a number of patterns which seem to recur. As he puts it, a nation "is the result of the transformation of people, or of several ethnic elements, in the process of social mobilization." The prospects of success are indicated by the completeness of that transformation and the intensity of social mobilization around the symbols of the new national community. A nation is not only a subjective affirmation of will of zealous nationalists; it is also the product of the operation of powerful objective forces, several of which have been mentioned.

Thus far it has been assumed that the leaders of nationalist movements in Africa will seek to build new national communities out of the diverse human materials located within the artificial boundaries of the existing colonial territories. This was precisely what happened in Latin America (Spanish imperial provinces), in the Middle East (European and Turkish regions), and in South-east Asia (Dutch Indonesia, Burma, and in a qualified way, British India). In the case of British Africa, where nationalism is most advanced, this same tendency for nationalism to follow boundaries established by the imperial power rather than those coincident with pre-colonial socio-political groups is in evidence (e.g., Gold Coast and Nigeria). On the other hand, in many areas the situation is still relatively fluid. Togoland nationalism has been predominantly an Ewe affair, and the Ewes are a trans-territorial group stretching from the Gold Coast to Dahomey. Separatist sentiment in Northern Nigeria is an example, *par excellence*, of incomplete social mobilization. This, when coupled with growing Yoruba and Ibo self-consciousness, suggests that earlier pan-Nigerian nationalism may be eclipsed and Nigeria may ultimately become three or more states. Until the recent decision to give the Southern Cameroons greater autonomy within the emergent Federation of Nigeria, Cameroonian nationalists were wavering between remaining an integral part of the Eastern Region of Nigeria, or seceding and joining with the nationalists in the French Cameroons in an endeavor to create a Kamerun nation based upon the artificial boundaries of the short-lived German Kamerun.³⁴ In Kenya, Mau Mau and all earlier proto-nationalist movements have been predominantly Kikuyu endeavors, even though the name Kenya has been employed. In Tanganyika, the Chagga Co-

³³ *Ibid.* See also Deutsch's *Nationalism and Social Communication* (cited in note 5), pp. 81 ff.

³⁴ *West Africa*, January 30, 1954, p. 87.

operative movement may be the basis for a Chagga separatism; and in Uganda, it is questionable whether pan-Uganda integrative forces can erase the "national" separatism implicit in the Buganda Kingdom. Again, in Central Africa, will the territorial separatism symbolized by the Northern Rhodesian and Nyasaland National Congresses be eclipsed by the common sentiment and institutions growing out of the new Federation?

In the case of French Africa, dissimilarities in colonial policy (i.e., assimilation and direct rule) have tended to produce a somewhat different situation. Yet since the reforms of 1946, as a result of which each of the territories of the two federations of French West Africa and French Equatorial Africa received their own representative assemblies, territorial nationalist movements have tended to eclipse the pan-French African *Rassemblement Démocratique Africain* in much the same fashion as Nigerian, Gold Coastian, and Sierra Leonian nationalist movements have replaced the earlier National Congress of British West Africa. Thus one finds the *Parti Républicain de Dahomey*, *Parti Progressiste Sudanaise*, *Union Démocratique du Tchad*, and similar organizations in each of the territories. The future "national" orientation of nationalist forces in French Africa would seem to depend upon the extent to which pan-Federation forces and institutions, such as the *Grand Conseils*, or the assimilationist forces of the French Union, such as the metropolitan parties and labor movements projected overseas, operate to retard the growth of territorial symbols and sentiment. One thing, however, seems certain: French Africa—because of the French policy of assimilation and direct rule—is less likely to encounter such movements as the *Egbe Omo Oduduwa* of the Nigerian Yorubas, the Kikuyu Central Association in Kenya, and the *Bataka* movement of Uganda.

In general, it would seem that where nationalism manifests itself in considerable strength it is evidence that disintegration of the old and social mobilization around the symbols of the new order have occurred on a scale sufficient to weaken or destroy attachments and loyalties of the nationalists to pre-colonial socio-political units, either because they have been crushed and are beyond memory or because they are unattractive or manifestly unsuitable as "nations" in a modern world of nation-states. The European presence has done much towards the creation of new nations, the "national" sentiment of the nationalists being a reflection of this.

A few of the many factors which might be observed and evaluated in order to determine the probable success, as well as the territorial implications, of an African nationalist movement or nation-building endeavor are as follows:³⁵ (1) the degree of internal social mobility, economic interchange and interdependence, intermarriage and commonsality, and the intensity and level of social communication among the ethnic groups comprising a given territory; (2) the location of population clusters and "core areas," as well as of "sub-national" regions of more intense economic interchange or of cultural focus; (3) the

³⁵ For several of the concepts used here the author is indebted to the works of Professor Karl W. Deutsch, previously cited. See especially his *Nationalism and Social Communication*, pp. 15-45.

powers and functions of "sub-national" political institutions (i.e., regional, tribal, etc), and the degree of *meaningful* participation in them by the Western-educated elements; (4) the rate at which "national" institutions and activities are capable of attracting and absorbing new social strata from all ethnic groups into the "national" life (e.g., the ethnic composition of the central administrative and technical services); (5) the centrality and nationalness of educational institutions, particularly the professional schools and universities; (6) the degree of pan-territorial circulation of nationalist newspapers and literature and the extent to which these play up "national" events and personalities; (7) the differentials in the material development, per capita income and wealth, the acquisition of modern skills and knowledge, and the concentration and capacity for accumulation of capital amongst the different sub-national areas and ethnic groups;³⁶ (8) the ethnic makeup of the Western-educated categories and particularly of the active membership of nationalist or proto-nationalist groups; (9) the development and extent of usage of a trans-tribal pan-territorial language, be it English, French, Portuguese, Swahili, or Hausa; (10) the compatibility of the "detrribalized" basic personality types produced by the indigenous cultures; (11) the extent to which the territory concerned embraces total cultural groups, or, put another way, the degree to which artificial colonial boundaries have bifurcated ethnic groups whose division may be the source of later irredentism; and (12) the rapport between the Western-educated nationalist elements and the traditionalists, including the existence of nativistic tensions or economic grievances which the nationalists could manipulate or exploit in their mobilization of mass support.

Results obtained from inquiries along these lines would go far to explain the present orientation of a nationalist movement, as well as possible future trends. And yet an emphatic note of caution should be sounded: objective forces of integration and disintegration are powerful determinants in the nation-building process, but so also are subjective factors.³⁷ By all laws of geography and economics Northern Ireland should belong to Eire, and East Pakistan to the Republic of India; but they do not. By the same laws, the Gambia should belong to Senegal, French Guinea to Sierra Leone and Liberia, Mozambique to the Central African Federation, and so forth; and yet present trends suggest that such will not be the case. The principal forces currently operating to shape Africa's emergent nations are either tribalism or a nationalism following artificial imperial boundaries; and, with few exceptions, neither of these is directed

³⁶ It could be argued, for example, that apart from historical and cultural factors, the difference in the per capita income of the three regions of Nigeria (£26 for the Western Region, £16 for the Northern Region, and £23 for the Eastern Region) is of no little significance in the recent and current drive for greater regional autonomy. See A. R. Prest and I. G. Stewart, *The National Income of Nigeria*, abridged ed. (Lagos: Government Printer, 1954), pp. 14-16.

³⁷ Given suitable conditions, including a politically favorable milieu and the proper techniques, there would seem to be no reason why subjective factors such as loyalties, attitudes, and attachments to national or "sub-national" symbols, could not to some extent be measured.

towards the creation of political units which the geographer or economist would classify as ideal. In this respect, of course, Africa is not unique.

The foregoing raises the crucial question of whether it is possible for the peoples of Africa—in their own interest—to avoid the balkanization implicit in the full application of the national principle to their continent. So long as the rest of the world is organized according to that principle, and so long as the national idea universally embodies aspirations which cannot be satisfied by other forms of human organization, the answer would seem to be in the negative. The quest for racial equality and acceptance is as important an ingredient in the African revolt as is the desire to determine one's own destiny. Rightly or wrongly, self-government within the confines of the sovereign nation-state has become the supreme symbol of the equality of peoples. The only possible alternative would be broader Eur-African political groupings or self-governing plural societies in which emergent African leaders could play what they would feel to be an equal role. In the light of the persistence of national self-determination as a symbol, and particularly in view of the growing strength and contagion of African nationalism, the future of such multi-racial experiments will depend in a large measure upon the rapidity with which European governments and leaders provide for such a role.

IV. SPECIAL PROBLEMS OF RESEARCH INTO AFRICAN NATIONALISM

There is perhaps no other type of research venture capable of evoking stronger feeling than an inquiry into colonial nationalism. The word "nationalism" in a colonial milieu has tended to be treated as the equivalent of sedition, or even treason. And this for good reason: by definition colonial nationalists are seeking to bring about a radical alteration in the power structure; namely, to evict the imperial power and to enthrone themselves. From the moment it makes its presence known, therefore, a nationalist movement is, in effect, engaged in a civil war with the colonial administration, the constitutionality of its methods varying according to the liberality of the colonial regime and the moderation of the nationalist leaders.

As regards colonial officialdom, an American undertaking a study of African nationalism is handicapped by the fact that in a large measure the African nationalist awakening is the product of American influences. Since the turn of the century, American Negro religious sects have contributed no little to religious secessionism, particularly in South and West Africa. The Garveyism of the early 1920's had an influence among sophisticated Africans which has tended to be overlooked or minimized. Since 1919 a growing number of American Negro intellectuals have taken an increasingly militant stand on African colonialism. Anti-imperialist sentiment in the United States, especially during the Second World War, was the source of considerable inspiration and delight to budding African nationalists, as well as the cause of no little acrimony between wartime allies. The Atlantic Charter, the Four Freedoms, and public statements by Mr. Willkie and President Roosevelt have bulked large in post-

war African nationalist literature. The most important American contribution, however, has been the impact of our culture upon African students who have studied in America. Many of the important pioneers in the African awakening were profoundly affected by their American experience. Of this group the late Dr. J. E. K. Aggrey and Prime Minister Kwame Nkrumah from the Gold Coast, and Professor Eyo Ita and Dr. Nnamdi Azikiwe from Nigeria are the most prominent and best known. During the Second World War the number of African students in America was less than 25; since 1945 it has increased to over 500. With few exceptions these students have been and are strong nationalists, many of them having become leaders upon their return to Africa. In the eyes of colonial officialdom, therefore, an American inquiry into nationalism tends to raise certain doubts.

There has been a tendency in the past for American visitors making quick tours of Africa to rely mainly upon the white colonial administration for an appraisal of nationalist sentiment and activity. This is unfortunate in many respects. In the first place, it is most likely that any information bearing on nationalism is locked up in classified files. Secondly, most colonial administrators have tended to be anti-nationalists, even though many in British West Africa have adapted themselves to working with nationalists towards a mutually agreed goal of effective self-government. Their evaluation of nationalism is bound to be colored by their preconceptions and vested interests or by their honest fears regarding the welfare of the bush peasant, for whom they tend to have a preference and a strong paternal affection. Thirdly, circumstances have tended to place them too close to events or too far removed from the people. Their growing preoccupation with headquarters administration and development schemes, the social impediments—created frequently by the presence of white wives and families—to effective and continuous contact with the masses, and the almost total lack of rapport or confidence between nationalists and administrators, have given the latter many blind spots. Their past miscalculations of nationalist strength and trends tend to confirm this. In short, instead of being used as informants, a role they are not anxious to perform, they should be objects of study. Their fears, their adjustments, and their efforts to suppress, retard, manipulate, or encourage nationalism are all relevant in a complete study of the many interacting factors present in a nationalist situation.

Unlike the field anthropologist, who consciously seeks to work among the traditionalists, the student of political nationalism is concerned mainly with the attitudes, activities, and status of the nationalist-minded Western-educated *élite*. Here one is in a world very different from that of officialdom or the traditionalists. It is a world of great idealism, crusading zeal, and high resolve, as well as one of suspicion, hyper-sensitivity, and exaggeration. It has its careerists and opportunists, and its chronic nonconformists; but it also has its emergent statesmen, its enterprising industrialists, and its distinguished scholars. Only here can one get a partial glimpse into the depth of nationalist feeling, the sources of inspiration and ideas, and the key elements in nationalist motivation.

Yet there are distinct limitations to the interview technique, not the least important of which is the possession of a white skin. Moreover, a colonial nationalist movement must have its *arcana* as well as its propaganda.

In the quest for knowledge regarding African nationalism, the most fruitful as well as unprovocative avenues to explore are those already indicated in earlier sections. African nationalism is something more than the activities of a few disgruntled journalists and frustrated intellectuals to whom Lord Lugard referred in his *Dual Mandate*. It is the inevitable end product of the impact of Western imperialism and modernity upon African societies; it is also the inevitable assertion by the Africans of their desire to shape their own destiny. Imperial systems are disintegrating, new nation-states are emerging, and new forms of political organization transcending the national state are under experiment. These political aspects of African nationalism, however, are but the surface symptoms of a great ferment about which we know very little. The study and analysis of the many complex factors in this unfolding drama provide not only a stimulating challenge to the social sciences, but also a compelling invitation to greater interdisciplinary cooperation.

WORLD TRENDS IN POLITICAL SCIENCE RESEARCH*

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I. PURPOSE AND LIMITATIONS OF THE REPORT

The purpose of this report is to examine, on an international scale, the current trends in political science research.

The initial intention was to base the survey on the available information about researches being carried on by institutions, but it soon became apparent that such a survey could not give an adequate picture of current work or trends. In the first place, systematic information about research by institutions was, at the time of writing, available on a comparable basis only for a few countries and areas. In the second place, even if information on research by institutions were available for all countries, an analysis of it would give a very one-sided picture of the main trends in political science research. For it would leave out of account all the work being done by individual scholars, and even groups of scholars, in the ordinary course of their academic work. To single out the work being done by research institutes (whether they are attached to universities or established independently) and to call this "research," would be putting a narrow interpretation on the word. It is, of course, tempting to do so. It is possible to canvass institutions and compile a comparative register of their researches; it is much more difficult, if not impossible, to compile a register that would list all the significant thinking being done in political science, including the theoretical work being done by individual academic political scientists in all the universities. Yet at least in countries where political science is a recognized academic discipline, and even in most of the countries where its subject-matter is still divided between university faculties of law, philosophy, history, etc., the work being done by individual scholars (with or without some research assistants) is greater than the volume of work being done by institutions or university units devoted specifically to research. The individual work may also be thought to be of more significance; but on this point opinions will differ.

The fact that opinions will differ on this is itself significant of the trend in the past few years. The research institute has in some countries become the leading hope of political science, as of the social sciences generally. In countries where political science has still to attain the status of an independent discipline, the research institute is often conceived as the most direct and practicable way of promoting the claims of the subject. In countries where political science is already an established academic discipline, the research institute may be a way of breaking through departmental divisions which are thought to have become too rigid, or of opening up new fields for which the existing academic organiza-

* A report prepared in April, 1953 for the International Political Science Association, as part of a larger inquiry instituted by the Social Sciences Department of UNESCO.

tion does not readily find a place. The desire to establish research organizations for these purposes is itself a symptom of a deeper dissatisfaction.

There is a very general uneasiness among political scientists, not least where the subject is best established and most extensively developed, as to the ability of political science to elucidate the political phenomena which constitute such urgent problems in our day. Where traditional methods of scholarship are thought to have been inadequate, the research institute has a ready-made claim to consideration. This is especially so because the dissatisfaction with established methods and approaches has taken the form of increasing insistence on strictly empirical research. It is in the very nature of the research institute that it should be engaged mainly in empirical research. As the description in the following section will show, the bulk of the research now being done by such institutions is the collection of data about the actual functioning of the political process (or of some part of it, such as the formation of public opinion, the electoral process, the political party as an instrument in forming and transmitting democratic pressure, the functioning of international organizations and international relations, etc.). Where the collection of data is undertaken with a view to testing hypotheses and ultimately to extending, modifying, or replacing the accepted theory, the potential value of such research is undoubted. And since it is a question of inquiring into the political behavior of masses of people, this kind of research is most appropriately done on a scale (and by techniques) beyond the resources of individual scholarship. The rise of the research institute is an obvious reflection of the trend to empirical inquiry into mass political behavior and as such is worth notice. But no examination merely of the research being done in such institutions would give a balanced view of what is being done in political science.

For this reason, an effort has been made to broaden this report by bringing into its scope whatever information was available about research in progress elsewhere than in research organizations. Information on this is both incomplete (being available only for a few countries) and not strictly comparable between countries. For some countries, we have partial records of individual research by established scholars. For some, we have lists of doctoral dissertations in political science. The researches of doctoral candidates are, of course, of uneven quality and in any quantitative survey should not generally be weighted as heavily as the work of established political scientists. But classified lists of doctoral theses may be taken to give some indication of the interests of the professors; and are therefore not to be discarded in a survey of trends, especially since relatively little information is available about the researches of individual professors in many countries. Except insofar as they are taking part in organized group research, professors often do not give any information about their own current, but yet unpublished, work, even though it be at an advanced stage. Work of quite first-rate importance thus escapes any listing until it is actually published.

Some consideration of recently published work therefore seemed to be a desirable supplement to the survey of research in progress. Here again we find large

gaps in the available information. Lists of works in political science published during 1952, which have been drawn up by the International Political Science Association in preparation of the forthcoming first volume of the International Bibliography of Political Science, have been put at the disposal of the writer of this report, but these lists are so far available only for some countries. For other countries, reliance has had to be put on various sources of information, including general bibliographies and lists and reviews in national political science journals.

One other source which it was thought might provide an additional indication of the work being done by individual scholars proved not to yield the desired information. Since one of the first fruits of research is often the publication of articles in scholarly journals, it seemed possible that an analysis of all the journal articles in political science published in the last year or two might afford some indication of the kind of work that is currently being done. Information about this is particularly full: a comprehensive record for 1951 and 1952 is provided in the first two volumes of the *International Political Science Abstracts / Documentation Politique Internationale*, compiled by the International Political Science Association and the International Studies Conference. The two volumes contain abstracts of 2787 articles in political science, from a comprehensive list of periodicals in all parts of the world.

In the hope of throwing some light on the problem with which we are here concerned, several attempts were made to classify this material but in the end it proved impossible to distinguish with a sufficient degree of certainty between those articles which should be considered as instalments of research and those which were primarily designed to be informative (e.g., surveys of political developments in a foreign country) or which were primarily vehicles of the authors' views (not always evidently based on research) as to what should be done about something. The frequency of the latter two sorts of articles might, indeed, be taken as giving a partial measure of the demand in various countries for political enlightenment and guidance, or at least of the proffered supply of these commodities, but it is scarcely indicative of the amount of research. The attempt was therefore abandoned, not before certain broad impressions were gained, but without any statistically useful results.

One further limitation of this report—perhaps the most serious—remains to be pointed out. If the purpose of the report were only to analyze trends in the amounts of research being devoted to different parts of the whole field of political science, the deficiencies in the coverage and comparability of the information would not be too serious. But the report has a further purpose: to consider the progress, shortcomings, and difficulties of current research. There is, of course, no intention of setting up the reporter's judgment on the quality of any or all researches. But it is incumbent on the reporter to indicate the shortcomings which are revealed by the survey, and if this duty is to be performed it requires not merely a statement of lacunae, but an assessment of the stage of theoretical penetration, analytical or synthetical, which has been reached in various branches of the subject in various countries.

This is a formidable requirement. An attempt to meet it is made in the body of the report. But it is proper to say here that it involves a subjective judgment not only of the standards by which such assessment is to be made but also of the information. It is not always apparent from the information given about a research project what conception of it the projectors have, or what questions they are setting themselves. Yet this is what is really important. On this it has often been necessary to make tenuous and unverifiable inferences. That it has been necessary to do so constitutes the major limitation imposed on the report by the information available.

In order to elucidate trends a base is necessary. Fortunately this is provided in large measure by the studies made in 1948 or 1949 for several countries and published in 1950 in the UNESCO volume *Contemporary Political Science*. The description and analysis of current research which follows is wherever possible related to these studies. The order of description is the same, that is, by countries or groups of countries rather than by divisions of the subject across countries. This order is preferable on its own account, since any analysis of the trends, shortcomings, and possibilities must be related to the intellectual tradition, the national outlook, and even the view of the national interest, which vary from country to country.

II. DESCRIPTION AND ANALYSIS OF CURRENT TENDENCIES IN POLITICAL SCIENCE RESEARCH

1. *Political Science Research in the United States*

United States political science may appropriately be examined first, partly because it displays a greater quantity of research, and partly because there has recently been a remarkable amount of inquiry there into research, reflecting an unusual degree of concern about the position and prospects of political science in that country.

We may begin by summarizing the picture of political science research in the United States in 1948-1949 which emerges from the ten papers on American political science in *Contemporary Political Science* (Paris: UNESCO, 1950). In the study of American government in particular, and government in general, a steady shift of emphasis from formal institutions and structures to processes and patterns of behavior had left the latter the predominant approach. As part of this trend, the attention given to political parties and to public opinion had greatly increased. The study of public administration had also expanded, with great attention being given to practical application. The view that public administration was a part of a science of administration, and not rooted in politics, was prevalent, but was being abandoned by some leading scholars in favor of a view of administration as part of politics. In all the studies of government and administration there was increasing emphasis on quantitative research, increasing interest in psychological methods, and a vast amount of collection and clearance of data (statistical, observational, and experimental) by public and private agencies. Apart from the data collected for fairly immediate administra-

tive purposes, there was an intensive effort to collect specialized data which would serve for the testing of hypotheses about particular relations within the process of government or administration. With this went a variety of attempts to define concepts and hypotheses, and construct theories, of political structure, pattern, and action. Underlying much of this activity was a growing concern with the management and manipulation of people, and a hope to contribute to policy formation. The study of international relations was greatly expanded, much of the work being devoted to attempts to understand foreign nations and to disclose the factors determining their policies. There was said to be a renewed interest in political philosophy, but the evidence did not suggest that this had yet shown itself in research or publication. Political theory was almost entirely empirical and intent on avoiding value judgment.

There was indeed considerable criticism of the prevalence of empiricism. Several writers urged that it was hampering the more important work that might be done, and that preoccupation with collecting data deflected attention from the need for, e.g., a consistent theory of democratic responsibility, or criteria of value in public policy and political institutions. In one field, lack of real progress was attributed mainly to the ambivalences and ambiguities in the minds of the political scientists who were devoting themselves to it.

It appeared to be widely assumed that, as one writer put it, political science had responsibilities "for improving and perfecting the operation of government" and that "the research needs of the country could no longer be left to the hazards of chance and individual interest" (*Contemporary Political Science*, p. 368). The prevalence of these assumptions was taken to explain the growth of research organizations whose purpose is to canalize and correlate research, and which, it was recognized, must thereby influence and guide the directions which research is to take.

Trends since 1948. The American Political Science Association Committee on Research, jointly with the United States Office of Education, has made a survey of research in political science in progress in American universities in the spring of 1950, the results of which were reported, with an admirable analysis, in June, 1952 (C. E. Hawley and L. A. Dexter: "Recent Political Science Research in American Universities", this REVIEW Vol. 46, pp. 470-85). In spite of unavoidable quantitative limitations, this provides a valuable statement of the position in 1950, and forms the main source of information in the field. The survey covers only the research in graduate departments of political science, and only in 75 of the 112 departments to which the questionnaire was sent, the other 37 not having replied. The authors of the report believe that it covers about 75% of the political science research in universities. It includes researches by doctoral candidates and by faculty members. In addition to this report (referred to hereafter as the Hawley-Dexter report), supplementary and more recent information, though not strictly comparable, has been gotten from a variety of reports of research projects (e.g., reports of the Social Science Research Council), from the annual lists of doctoral dissertations in political science published in this REVIEW, and from current bibliographies of published works.

From these sources of information combined, it is possible to draw a picture of the trends since 1948.

The relative number of research projects in the main fields of political science may be noted first. The three sources of information that have been used are not strictly comparable, but a rough picture emerges when parts of some of the categories originally employed in each of them are reclassified. In the following classification *Political Theory* covers works approaching or contributing to a general or systematic theory of politics, or devoted to a particular theoretical problem, and includes studies in methodology; *Political Ideas* covers the history of political ideas, and analysis of contemporary doctrines and ideologies; *United States Government* covers the legislative and representative process, public law and judicial and legal problems, and includes studies in state and local governments as well as the federal government; *Foreign Government* includes area studies as well as studies of one national government; *Public Administration* covers United States and foreign public administration; *International Relations* excludes area studies. The figures in the last column were reached by classifying the books by United States political scientists which were reviewed or noticed in the four most recent issues of this REVIEW (June, September, December, 1952; March, 1953), excluding text-books, manuals, surveys, and collections of documents and of readings.

UNITED STATES RESEARCH IN THE MAIN FIELDS OF POLITICAL SCIENCE

	Hawley-Dexter Report (for Spring 1950)	Doctoral Disserta- tions in Progress Summer 1952	Research Works Published in 1952
Political Theory	44	29	11
Political Ideas	36	73	26
United States Government	270	265	37
Foreign Government	215	113	30
Comparative Government	34	9	4
Public Administration	306	127	20
International Relations	110	251	25
	1,015	867	153

These figures, necessarily resting on somewhat arbitrary classifications, can be taken only as broadly suggestive of the relative amounts of attention being given to the main divisions of the whole field. They afford some notion, too, of the total volume of political science research in the United States. The totals of columns 1 and 2 are, however, not comparable, since in the Hawley-Dexter report (column 1) some studies were counted more than once (when they appeared to be related to more than one of the seven subject divisions). The actual total of the studies classified in column 1 is 797. In column 2 (and column 3) each piece of research is counted only once.

The really significant developments in political science research cannot be

shown by any statistical summary, but fortunately the material enables us to give some answer to the more important questions. What conception of their own task have the political scientists? What sort of results do they hope to achieve, and how are they going about it? What level of theoretical penetration has been reached, or is in view, in the different divisions of the whole subject? And has there been, in any of these respects, any significant change in the last few years?

In the study of government, particularly of United States government, the emphasis on empirical research has continued and even increased. So also has the emphasis on the process of government rather than the formal structure. "Process of government" must be understood here in its widest sense, including not only the ways in which governments make decisions and exercise their powers but also the ways in which governments get and keep their power. The current research is concerned more largely with the flow of power *to* government than with the flow of power *from* government; more with how governments are authorized than with how they govern. More precisely, the major emphasis of research on government is on the electoral and representative process, by which the people, as electors and as members of interest groups and parties, seek to have their wills represented in and to the bodies they authorize as their government. American political science has, of course, always paid very great attention to pressure groups, parties, and the formation of public opinion, so much so that these instruments have come to be regarded as the determinants of the legislative process. The emphasis on the electoral and representative process (of which parties, pressure groups, and public opinion formation are leading elements) is therefore far from being a new trend, but this whole field is now being subjected to more intensive research. This trend has quite clearly arisen out of an increasing concern, on the part of political scientists, about the adequacy of the democratic process in their own country, although this is seldom avowed.

Yet, paradoxically, American political science is so intent on empirical analysis that for the most part it eschews any inquiry into adequacy, since that would involve "value judgment". The prevailing view, one might almost say, paraphrasing the saying about justice, is that it is necessary not only that political science should be done but also that it should manifestly appear to be done, and here "science" is predominantly taken to mean purely empirical investigation and generalization.

The Hawley-Dexter report endorses the view expressed by Thomas I. Cook in *Contemporary Political Science* that concern for the techniques of power, opinion formation, etc . . . had turned attention away from the purposes of the political process, the needs of the ruled, and the potentialities for satisfying these needs. The available information about subsequent research on the whole confirms this view. The prevailing focus of attention is the mechanics rather than the purposes or potentialities of the political process. Even on the mechanics of it, the Hawley-Dexter report found no evidence of a search for a new theory of representation; the "pressure politics" theory was so generally accepted that there was no disposition to question the hypotheses. Indeed, that

report found little evidence for any such trend, in political science research generally, as was reported by Charles E. Merriam in *Contemporary Political Science*, towards a "growing effort to interpret data, to use them as a check on assumptions and hypotheses, and in turn to develop new assumptions and hypotheses, examining implicit assumptions more carefully and making them more explicit."

In respect of the level of penetration of empirical research into the political process, there are signs of change since the Hawley-Dexter report. For instance, the elaborate research plan recently evolved by a Social Science Research Council inter-university group, for an extensive program of "Research in Political Behavior" reported in this REVIEW, Vol. 46, pp. 1003-45 (Dec., 1952), is very much concerned with defining and testing hypotheses. The stated aim is to discover uniformities in the empirically observed behavior of persons and groups in the political process, or sets of recurring patterns of behavior involving relationships of leadership and subordination, functional specialization, etc.

It refrains from inquiring how men ought to act. Keeping strictly on an empirical plane, it does emphasize that detailed and precise formulation of concepts and hypotheses must precede empirical research. It insists that the concepts and hypotheses to be formulated must be such as will permit "effective identification of behavioral uniformities" and "ease of replication and validation in successive researches." It does not insist on quantitative methods only but merely on empirical data. It hopes in this way to produce systematic theory, to build "a political science of increasing system, validity and generality of statement."

This ambitious long-term plan of research is typical of others in its emphasis on careful formulation of hypotheses and its desire to reach some systematic general theory. There is some reason to think that the intense preoccupation with "scientific" method may defeat the end ("a political science of increasing system, validity and generality of statement"); the formulation of problems and concepts is to be limited to those which will permit the discovery of uniformities and which will provide uniform specifications for extensive and repeated observations. Sometimes it appears that the cart has run away with the horse; research projects are chosen and are considered valuable because they can employ these careful empirical methods. This, of course, is not the only ground on which research projects are chosen; the underlying ground, though never acknowledged as more than a secondary reason, is the desire to reach generalizations which would help to improve the quality of American democracy. In any case, such research planning as this shows that the need for re-thinking hypotheses and developing a new systematic theory of politics is emphatically recognized in leading research circles.

That is not to say that the bulk of the current research is at this level of questioning or of generality; it appears rather that the greater amount of research is still at the level characterized in the Hawley-Dexter report, while the planning and execution of research at the newer level is mainly confined to research

institutes, such as the Hoover Institute with its R.A.D.I.R. (Revolution and the Development of International Relations) project (of which the first published studies have recently appeared: reviewed in this REVIEW, Vol. 46, pp. 867-73 (Sept., 1952)), and to other research groups sponsored by such bodies as the Social Science Research Council and the foundations which are concerned with the promotion of the social sciences. A notable instance of the latter is the Cornell Studies in Civil Liberties, sponsored by the Rockefeller Foundation, analyzing governmental internal security programs purporting to be against disloyalty and subversive activity. Four substantial volumes of the series which appeared in 1951 and 1952 are reviewed in this REVIEW, Vol. 47, pp. 211-15 (March, 1953). The scope of those studies affords one indication that research into the exercise of governmental power and its impact on the citizen, while outweighed by the amount of research on the process of representation, is by no means neglected.

What has been said about the trend in the study of government indicates that work in the direction of systematic political theory is so far rather limited, but that there is increasing awareness of the need for it. The other branch of political theory, the study of the history of political ideas, including contemporary ideologies, has fared rather better, in volume at least. Much of it is designed to disclose the roots of present ideological conflicts, and has an obvious and implicitly recognized relevance to the defense of American values.

Comparative government, in any strict sense, has not developed as much as might have been expected; there is no clear evidence that it has developed much beyond the mainly descriptive level where the Hawley-Dexter report found it. The slowness of studies of government in general to reach a synthetic theoretical level, which we have already noticed, is characteristic of the present stage of comparative government in particular. The contemporary American thirst for information about foreign nations has resulted in a large number of separate studies of foreign governments, or of a particular aspect of them, as well as an extensive development of "area studies." (On the rise of area studies see *International Social Science Bulletin*, Vol. IV, No. 4, 1952.) Since the thirst for careful and abundant information needs to be satisfied before the thirst for theoretical analysis or synthesis can be extensively indulged, it is not surprising that much of this research is descriptive and historical.

The same may be said of the very large volume of research in international relations. There is little evidence to modify the finding of the Hawley-Dexter report that most of the research in international relations was really providing background material, descriptive and historical; that much of what analysis was being done was primarily legal analysis; and that social, psychological, and economic factors, as they apply to policy problems or to processes of international relations, made up a very minor theme. But, here, as in the study of government, the evidence suggests that, while the bulk of the work may not be conceived theoretically, yet the desirability of aiming at broad empirical generalization, based on massive and meticulously formulated research, is clearly recog-

nized, at least in those centers where research is most intensively organized and supported: the R.A.D.I.R. project, already mentioned, is a leading example of this.

Finally, in the study of public administration, a similar but not quite parallel trend is observable. The bulk of the research now being done appears to concern particular administrative problems in certain states or cities, or in certain departments of a government, and to be designed to describe, to analyze, and to contribute to the solution of the particular problems. The work of the many American bureaus of municipal research and similar bodies, designed to produce immediately operative results for paying clients, will obviously be of that kind, and most of it should not be reckoned as political science research in the sense in which the term is generally used. But the greater part of the academic research in public administration, in which one would expect to find a theoretical approach and aim, does not evidently show a desire to work towards a general theory of public administration or to contribute to synthetic studies. However, some influential individual scholars have moved away from the traditional theories, and are urging a reconsideration of the general theory of public administration. And, as well as individual scholars, organized research groups are moving in the same direction. For instance, one of the projects outlined by the Social Science Research Council group on Political Behavior, mentioned above, is an elaborate long-term research into "Party and Administration Responsibility: Council-Manager Government." This project is designed on a broad theoretical level and is intent on stating hypotheses more precisely and testing them more systematically and extensively than has usually been done. Thus the trend in public administration research is similar to that in other fields of government; the major part of the work is being carried on within the limits of accepted theory and with little questioning of assumptions, but an attempt to break through these limitations, or at least to subject the prevailing views to some searching new questions and extensive empirical testing, has taken definite shape.

2. Political Science Research in Great Britain

When one turns from American to British political science, two differences are immediately striking. One is that among British political scientists there is much less anxiety and perturbation about research aims and methods. The other is that there is less emphasis on purely empirical research and more inclination to examine political institutions and processes from the point of view of purpose—the purposes they serve, and the purpose they ought to serve.

For the first of these characteristics two reasons are apparent. British political scientists are on the whole less troubled about the representative and democratic quality of their own political institutions than are American political scientists about theirs. Hence there is less incentive for the British political scientists to question the established theories of their institutions, and hence less need to search for new techniques by which the accepted interpretations could be subjected to serious revision. Secondly, there is not the financial sup-

port for vast research projects in political science in Britain that there is in the United States. Funds go mainly to other kinds of social research where the need is thought to be greater. And since it is chiefly in the planning of large research schemes that the need to question traditional methods and aims of research arises, there has been little incentive or pressure from this quarter to be concerned about them.

The other noticeably different feature of British political science—the lack of insistence on purely empirical research—may be seen simply as a part of the British intellectual tradition, which has always tended to consider politics as a branch of moral philosophy. But why should this tradition have persisted so far into this “scientific age”? It is not that the spirit of empirical inquiry is absent—the spirit of the Webbs lives on, and there is a substantial amount of study of political institutions—but empirical research from which considerations of value and purpose are rigidly excluded is not at all typical. The prevailing spirit is indeed the same as that which guided and impelled the Webbs, whose research was informed by a sense of purpose embodied in a political philosophy. British political scientists are accustomed to refer their analysis of institutions fairly consciously to some overriding ethical political theory, whether it be utilitarian, idealist, or fabian. They are not afraid of value judgments, perhaps because they are fairly sure of their own values. This approach could be justified empirically, if such justification were thought necessary. Political life has been rather more informed by principles in Britain than in the United States; parties have defined and justified themselves by their adherence to one set or another of value principles as well as by their advocacy of different means to common ends. Hence, it might be said, a feeling for value principles is an asset to the political scientist who would analyze this political life. However this may be, the fact that the universities are fairly closely related to the political life of the country (training many of the politicians and civil servants, and enjoying easy relations with them), tends to reinforce on each side an appreciation of value judgments and a perceptible mistrust of purely empirical research. Even the term “political science” has not been fully accepted by its academic practitioners in Great Britain: they have designedly called their recently-formed political science association the Political Studies Association and their journal *Political Studies*.

Notwithstanding these general and still prevalent characteristics, political science has shared in the considerable growth of planned research in Great Britain in the social sciences generally in the last decade. The *Register of Research in the Social Sciences*, prepared by the National Institute of Economic and Social Research, lists, for 1951-52, 1425 researches in all the social sciences, of which 230 are classified as political science or international relations. Of these, 137 are researches by doctoral candidates, and 93 are researches by other individuals or groups sponsored by organized research bodies (in or outside of universities). This is far from being a complete list of political science research in progress, since it does not include the work of individual scholars which is not done in connection with a specifically research unit. Much of the most signifi-

cant academic research done by individual mature scholars is therefore not covered. The *Register*, however, when supplemented by a consideration of recently published work in political science, is sufficient to provide a picture of the relative weight of attention being given to the different fields of political science, and the relative strength of descriptive, analytical, and synthetic approaches.

The researches listed in the *Register*, when reclassified as nearly as possible on the same lines as were used above for the United States, show the following distribution: Political Theory, 5; Political Ideas, 22; British Government, 28; Foreign Governments, 25; Comparative Government, 4; Public Administration, 54; International Relations, 61; British Commonwealth and Empire Government, 28.

The only apparent significant development from the position in 1949 as outlined in the sections of *Contemporary Political Science* devoted to the British scene, is a shift of emphasis in the work being done on British government. W. A. Robson could say in 1949 (*Contemporary Political Science*, p. 294) that "the study of political or governmental institutions in the widest sense of the term is almost coterminous with public administration," and he was able to survey, under one or another subdivision of public administration, all the work being done on government. That he could do so was, of course, partly because an extremely broad definition of public administration was used, including the structure and functioning not only of administrative bodies but also of all legislative, executive, and judicial bodies, by virtue of the fact that they exercise control over administration. In this way, parliament, cabinet, and courts could all be brought into the purview of "public administration." But what is significant is that there was no problem of fitting into this framework any body of work on the electoral and representative process as distinct from the legislative and administrative process and institutions. There was, as Professor Robson and David Thomson noted (*Contemporary Political Science*, pp. 301, 538) little work on parties and the party system, the electoral process, or the formation of public opinion. In short, study of the flow of power to the government was relatively neglected, while the exercise of power by the government was subject to research in many of its aspects. Englishmen, it was observed (p. 538) have been accustomed to thinking in terms rather of the sovereignty of parliament than of the sovereignty of the people or the general will; which is perhaps another way of saying that English scholars have been comparatively satisfied with the institutions by which the will of the people is supposed to be brought to bear on the holders of power.

A rapid review of the work being done in the last few years indicates that increasing attention is now being given to parties, interest groups, public opinion, and the electoral process. Of the 28 current researches classified above as British Government, 21 are directly concerned with one or more of these phenomena. A substantial beginning has been made on the study of factors influencing voters, and of the nature and conduct of party organization; and the already lively interest in these matters seems likely to continue to increase. This research is

conceived in the empirical way, being based on direct observations, and where possible using quantitative techniques, though the resources available have not so far been sufficient to permit an extensive use of interviews and statistical methods in electoral research. Not enough work has yet been done on elections, parties, public opinion, and interest groups to provide a basis for a new systematic theory of the representative process. So the possibility of a new systematic theory of British government, which would modify what some scholars consider to be the unduly rationalist assumptions of the prevalent theory, is still in the future.

The new interest in the electoral and representative process which has just been described has absorbed an increasing proportion of the energies being devoted to political science research, but it is probably true to say that the greatest proportion is still being devoted to the legislative, executive, and administrative process and institutions. The main lines of the established institutions—parliament, the alternate-party system, the cabinet, the civil service, and the judiciary—are not seriously questioned, but a great deal of thought is being given to the many problems of modifying various parts of this structure to enable it better to perform the tasks laid upon it by the extension of social services and of nationalized industry. This is the main focus of present work in public administration, and it is significant that substantial attention is being given to the many-sided problem of combining efficient administration with democratic responsiveness or control.

3. Political Science Research in the British Commonwealth Countries

Information on political science research in the Commonwealth countries is not inclusive enough to permit any full analysis, but a survey of some 80 researches now in progress there reveals some fairly clear lines of development. In each of these countries, the main concern of political science is with the structure and functioning of the political institutions of its own country, and with its foreign relations. And in most of the Commonwealth countries, political science as an independent academic discipline is a relatively recent development, so that almost the whole energies of the political scientists are absorbed by the work of description and historical analysis of their own countries' institutions.

In Australia, New Zealand, and South Africa, most of the current research having any bearing on political life is either simply political history or is primarily descriptive of institutions or concerned with one particular national problem; it is some way distant yet from theoretical interpretation. In Pakistan the effort to define the structure and the problems of a newly-created state is naturally predominant. A few scholars in each of these countries, however, are working on the history of political ideas.

In Canada, where political science has had a longer development, some theoretical interpretation is now going on. A notable amount of attention is currently being given to the whole structure and process of political life in one region (western Canada) and particularly in one province (Alberta), with empha-

sis on the relation of the political system to economic life and social movements, and on the electoral and representative process, as well as (or rather more than) on the legislative and administrative system. The main project in this field is expected to produce a series of some ten volumes. Another project, in progress for some time, will result in a series of works, analytical and historical, on the government of the several Canadian provinces.

In India, where political science has been a recognized academic discipline for several decades, there is a longer tradition of theoretical thought than in any of the other Commonwealth countries. Indian scholars, during the period of struggle for national independence, were greatly concerned with the principles of democracy, especially in relation to the social and economic conditions of their country. The Indian contributor to *Contemporary Political Science* found, nevertheless, that Indian political science had done little to develop the modern theory of the state. He expressed the hope that now that India had won national freedom, its political scientists, enjoying for the first time the conditions for constructive fundamental thinking, might develop a theoretical political science. This hope has not yet apparently been realized, but the achievement of Indian independence has had another effect: the greater part of Indian political science seems now to be devoted to foreign affairs and international relations.

4. *Western Europe*

In the countries of Western Europe the trends in political science research can only be understood in relation to the position of political science as an academic discipline. Generally speaking (but subject to an important qualification which is stated in the following paragraph) the extent of political science research varies in proportion to the degree of recognition of political science as a subject in its own right in the universities. And since in almost all of these countries this recognition is either entirely lacking, or has only just begun, the amount of political science research is very limited. This, of course, does not mean that the scholars of these countries take no interest in political institutions or ideas, but only that the field has been largely preempted by the philosophers, the legal scholars, and the historians, who generally bring to the study of political institutions and ideas the traditional outlook of their separate disciplines. While this situation prevails, the possibility of developing any systematic theory of politics or government, or of undertaking any extensive empirical research, appears to be remote.

But in several European countries the very impossibility of developing a systematic body of empirical political theory within the traditional academic structure has been a stimulus to the employment of newer methods and goals of research than are found in some countries where the path of political science has been smoother. In other words, while the traditional academic organization and the prevailing intellectual climate of most Western European countries have constituted a formidable obstacle to the development of a political science, the

existence of such an obstacle has compelled the postwar generation of scholars to do some fundamental rethinking about the kind of political knowledge that is needed and the possible ways of attaining it. The underlying cause of all this is the heightened perception of the urgency of political problems, especially the problem of the control of political power. This is, naturally, particularly acute in those countries whose political (and academic) life was shattered by the war, or was undermined (even before the war) by the inability of existing democratic institutions to retain their vitality.

The result has been that in some of these countries political science has begun to develop outside the traditional, legal, historical, and philosophical categories, and to set up research on its own. This development is still on a relatively small scale, but it has attained some institutional recognition already. Where such a development is taking place, the tendency is for the scholars involved to take over as far as possible the most advanced methods, approach, and research aims from the political science of those countries where the subject has long had an independent existence and is most extensively developed, and particularly from American political science. Hence, in this still small but growing sector of political studies, the strict empirical approach predominates, and the research is concerned noticeably more with the electoral and representative process than with political structure and institutions. Precise research, quantitative where possible, is the main aim. Research objectives are generally limited to the elucidation of one particular part of the process of government, and are often based on field work in one particular section of the country or of the government. Such limitation is self-imposed because, in the empirical conception that prevails among the new political scientists, the construction of a broad systematic theory of politics must await the outcome of many specific limited researches. What is significant, however, is that the limited researches are increasingly coming to be thought of as contributions to the future construction of general theories of politics and administration. The overriding ultimate concern of most of the research in this advancing sector is to achieve some understanding of the sources and the possible ways of controlling political power.

It must be emphasized that what has been said in the preceding paragraphs about the new tendencies in political science research applies to only a fraction of all the work being done in politics. Law, history, and philosophy still predominate. But against this traditional background, the new developments, though small, are increasingly significant.

Information on the political science research in progress in all the countries of Western Europe is too scanty to permit a useful analysis of the work being done in each country separately. But the development is sufficiently similar as between many of them to permit a useful picture to be given by taking a few as typical.

Scandinavia. Of all the Western European countries, only Sweden has an established tradition of political science as an independent academic discipline, and this fact sets it somewhat apart, in respect of political science research, from

the general position outlined above. Finland shares this distinction to some extent; but the position of political science in Norway and Denmark appears to be closer to that of the continental European countries.

In Sweden a substantial amount of work in political science research is being carried on in the universities. As was reported in *Contemporary Political Science* (p. 151) there is a close interplay between academic political science and active political life, in that it is usual for a large proportion of the academic chairs to be held by men who are also members of the Riksdag or otherwise prominent in political activity. This fact has probably promoted the status of political science in the universities. It may also be thought to have given political science research in the universities a bias in favor of those problems which are of particular interest to the legislature or to the parties. In view of this relationship, and in view of the fact that the continuity of Swedish political life has not been broken, it is not surprising to find that the greater part of the current work in political science is on the structure of Swedish government, Swedish social policy, and developments in foreign countries which are of direct interest to Swedish legislators. For instance, of the five books published in 1952 on foreign and comparative government, three are studies of the referendum in different countries (which studies were undertaken following a request by the Riksdag and are published as state documents); one is on social legislation in the Soviet Union; and one is on democratic socialism in the world today. Interest in political theory and ideology, in public administration, and in international relations continues. The newer trend towards the study of the representative process also has some currency in Sweden and has recently produced some studies of popular movements in relation to democratic government and at least one work on the electorate in a particular region. There does not, however, appear to be any very recent work on parties in the political process or on the formation of public opinion, nor any attempt at systematic empirical research into the electoral and representative process. Swedish political science in general has not yet sought to develop a systematic theory of the political process which would integrate the older constitutional and historical material with the newer material which might be gathered by long-term empirical research into political behavior. But the possibility of some such new ventures in political science is now being given considerable attention in Sweden; recently, in two successive numbers of the *Statsvetenskaplig Tidskrift* (1952, Nos. 3 and 4), there were five articles dealing respectively with "The Development of Society and the Scope of Political Science," "The Development of Society and the Scope of Jurisprudence," "A General Research Program for Political Science," "Goals and Methods in Political Science," and "The Concept of Social Classes." The widespread stirring of interest in goals and methods and concepts of political science appears to be a quite recent development in Sweden, and suggests that in spite of the continuity of Swedish political science there is now a disposition to take a new direction in political science research.

France. The trend of political science research in France shows some advance from the position of 1948-49 as it was outlined by the French contributors to

Contemporary Political Science. The more recent movement is mainly along the same lines as were already discerned there. The growth of political science is still subject to the restricting effects of traditional academic organization, but some of the limits imposed by this factor are now being overcome.

In respect of the obstacles to the development of political science, and hence of political science research, the position in France may be taken as typical of that in most of the continental European countries, while in the effort to surmount the obstacles France appears to be somewhat further ahead. The problem, until very recently, has been not a problem of *developing* political science, but one of *creating* a political science against the whole force of the academic and intellectual tradition, in which the study of political institutions has been dominated by the faculties of law, the study of political philosophy by the faculties of philosophy, and the study of political movements by the departments of history. To the extent that this situation has prevailed not only has there been no unified political science; what is more important, there has been no substantial body of scholars who think of themselves as political scientists. And, in these circumstances, certain areas of what is elsewhere considered to be political science are likely to be left unexplored, as not falling within the scope of law, philosophy, or history, notably the whole range of phenomena (parties, public opinion, the democratic control of administration, etc.) which are now regarded as central to the understanding of the political process. Hence the traditional university structure offers no encouragement either to research in these fields or to the development of an approach or method designed to produce a systematic theory of politics.

However, progress towards creating a political science has become increasingly evident in the last few years in France. The faculties of law are still dominant, but within them an increasing place is being given to work in political science. The first university chair in which political science shares the title (the Chair of Constitutional Law and Political Science, at Bordeaux) was created in 1951 and is held by one of the leading exponents of political science. The degree in law (*licence en Droit*) has just been reformed to permit specialization in one of three fields: private law, public law and political science, or economics. These developments, it will be noticed, have followed by some six or eight years the establishment (in 1945) of the Fondation Nationale des Sciences Politiques, and the Instituts d'Études Politiques in several universities. Both the Fondation and the Instituts, as the use of the plural term "sciences politiques" indicates, are devoted to economic and social as well as political science, but in both organizations political science has been given room to grow and is achieving substantial recognition. The Fondation, for instance, has separate research centers for the study of internal politics, of international relations, and of public administration.

The most significant indication of progress towards the creation of a specifically political science is the establishment of the Association Française de Science Politique in 1949 and the *Revue Française de Science Politique* in 1951. These constitute, in effect, a declaration of independence on the part of polit-

ical science as such, and are an impressive evidence of the existence of a body of scholars who think in terms of political science. They provide a means of encouraging and publishing research: the Association not only plans research but also provides some financial support for it.

Indirectly the Association and the *Revue* may do something even more important towards the creation of a political science, simply because their work is a demonstration that a political science already exists. The French intellectual tradition has long been noted for its desire for orderly, unified systems of thought, and bodies of theoretical principle. This has given law, philosophy, and history their academic tenacity; it also makes the exponents of political science desire above all to produce a systematic body of theoretical principles. The intellectual tradition is thus not only a conservative but also a radical force; once a new discipline can show that it exists, it can attract a surprising number of academic adherents, enthused by the possible adventure of building a new body of principles. It is perhaps for this reason that already some of the French philosophers want to see political philosophy attached to political science rather than continue as a department of philosophy, and some of the jurists wish for an enlargement of the sphere of political science. One may even suggest that, if the desire for intellectual system is strong enough to attract academic members of other disciplines into the camp of political science, the future development of political science will be more rapid than its modest beginnings in the last decade would suggest. For, after a certain point, such attraction is by its very nature apt to be accelerative and to move by jumps; when it is a question of a system, it must be all or nothing.

This possibility must remain, for the time being, mere speculation. But there is solid evidence that the present exponents of political science have a lively consciousness of what needs to be done, and that they are pressing on with researches designed to contribute to a theoretical understanding of the political process. This does not mean that they are all building systems. They are not; indeed, it is a matter of complaint by some philosophically-minded political scientists that no one is attempting a systematic theory. The French political scientists have, on the whole, an empirical conception of their task, a conception which requires a long period of concentrating on specific researches before the material is adequate for a theoretical system.

Apart from the substantial amount of research still being carried on in the faculties of philosophy (which has recently produced notable studies of such political thinkers as Hobbes and Rousseau) and in the faculties of law (which accounts for many studies of institutions) and in history (which provides numerous studies in international relations), the newer work which is conceived as political science is concentrated in a few fields: political parties, the electoral process, public administration (particularly in relation to the economic functions of the government), and foreign politics and international relations.

The Association Française de Science Politique is engaged in research in three main directions: (1) The economic and social functions of government. In this field, two particular things are being studied—social elections (elections to

the Social Security organizations and to the *Comités d'Entreprise*) compared to political elections; and the structure and exercise of power within national enterprises. (2) The basis and determinants of foreign policy. (3) The functioning of political institutions, embracing a group of studies on the functioning of parliament. The *Fondation Nationale* is conducting researches on the foreign relations of the Soviet Union, on the functioning of democracy in the Federal Republic of Germany, and on the Saar (an area study), as well as some detailed studies in French public administration. The *Institut d'Études Politiques* of the University of Paris is conducting an extensive research program on the foundations of French foreign policy. This will take the form of a series of researches into the factors which bear on the decisions made by the politicians and diplomats, and will extend to investigations of the recruitment of those who make the decisions, of economic influences, and of the influences of public opinion, religion, and tradition. It is intended to apply not only the historical method of analysis, but also such quantitative methods as are applicable, and direct interview methods. It is evident that in both its approach and its method, this program of research is typical of the new conception of empirical political science, moving from a single problem back into the investigation of many factors—social, economic, political, and organizational—which are assumed to have a direct bearing on the particular political process in question.

The same *Institut* is also organizing other research on the political process: the influence of parties on the formation of public opinion, social groups and public opinion, and methods of analysis of parties and interest groups. Several researches into problems of foreign politics and international relations are being conducted by the *Centre d'Études de Politique Étrangère*.

All the research projects mentioned so far are group researches, planned by a research institute and carried out by a research group, often including advanced postgraduate students. To complete the picture, one must add the research being done by individual scholars; indeed, all the group research is in a sense only an adjunct of their work as individuals, and it is largely owing to their initiative that the group work has been developed. Thus the research for which French political science is now best known is that which has been developed by a few leading scholars, such as that on the relation of social classes and structure to the political process by M. Aron, on political parties by M. Duverger, and on the electoral process by M. Goguel.

Other Western European Countries. Information on political science research in progress in institutions in other European countries is, at the time of writing, too fragmentary to permit an adequate description or analysis. It is, however, sufficient to warrant the general assertion that in most Western European countries the position from which political science has to develop, if it is to develop at all, is similar to that outlined for France, and that progress towards a political science independent of law and philosophy is less noticeable elsewhere than in France.

Western Germany and Italy are special cases, in that their scholars were confronted, when scholarship was again possible after 1945, with the task of explor-

ing the possibilities of various institutional forms which might be established for their restored democratic regimes, and of reconsidering the basic values of liberal democracy. Consequently, rather more attention than usual has been given on the one hand to political structure and on the other to ideology and political philosophy. The overriding problem of political life in these countries has been the total reconstruction of democratic government, and early in this process opinions as to how it ought to be done became divided more or less along party lines. Scholars as well as politicians were moved by the urgency of getting their views expressed. Hence much of the writing on political affairs has been as much polemical as scientific.

In Germany, however, there is now a notable development of institutes of political research, employing empirical and often quantitative methods, and mainly investigating aspects of the electoral and representative process. A partial list of the subjects of these researches, all dealing primarily with German phenomena, indicates the trend: the membership structure of German parties; the efficacy of political propaganda; electoral sociology (of specific regions); the influence of parties and social forces on the legislature, the government, the bureaucracy, and the judiciary; the Berlin elections of 1950; the techniques of public opinion formation in the Soviet zone; the composition and functioning of parliamentary groups. There is also some analysis of the scope and method of political science and some critique of postwar German literature in politics and related fields; a valuable work on this, surveying the philosophical and ideological trends of the last two or three years, has been prepared by the German scholar, A.R.L. Gurland, in his capacity as foreign consultant to the (U.S.) Library of Congress (*Political Science in Western Germany, Thoughts and Writings 1950-1952*, published by the Library of Congress, Washington, 1952).

5. *Latin America*

The available information about political science research in Latin America is not sufficient to establish any trends since the position outlined in the papers on Argentina, Brazil, Mexico, and Uruguay, in *Contemporary Political Science*. Of the researches in progress reported from research institutions, three deal with political doctrine or the history of political ideas, two are comparative studies of government and legislation, two are on municipal government and one on federalism, and two deal with political parties.

6. *Eastern Europe*

Although little information is available on current political science in the Soviet Union and the "new democracies" of Eastern Europe, a brief note on the main characteristics of political science there may be of value by way of contrast to the position in the West.

Because of the post-revolutionary nature of these states, and to the extent that their revolutions were made or consolidated by Marx-Lenin-Stalin theory, the lines of development of political science are strikingly different from those familiar elsewhere. The Marxist principle that theory should be a guide to ac-

tion, and action the test of theory, is fundamental to the conception of social and political science in those countries. There is room, within the framework of Marxist political theory, for many different tentative interpretations of political phenomena and problems, but there is no room, in the countries of the Marxist revolution, for any basic conception of political science other than the one just stated. The result is that when new political phenomena give rise to new theoretical problems, they are discussed by the academic political scientists with a view to contributing to a decision which it is known will be made, and will be made politically. After a period of academic analysis and argument (which will be longer or shorter depending on the political urgency of the problem), a political lead is given, by the party, and a general theory is established as authoritative. Such were, for instance, the stages by which the present Soviet theory concerning the "people's democracies" was established.

The fundamental difference between this kind of political science and the Western kind follows from the Marxist concept of the role of theory, in conjunction with the fact that the state is able to implement the theory. In the countries of the Marxist revolution, the state (or party) can change any political institution swiftly, and will do so whenever the need is demonstrated and the problem has been more or less fully canvassed theoretically. Theoretical analysis is therefore understood to be a prelude to effective action. This gives it the vigor and consistency which flow from a sense of purpose, and which is possible where fundamental values are no longer in question, while it imposes limits which would be intolerable to those who believe that the individual must be left free to make fundamental value decisions.

III. PROGRESS, SHORTCOMINGS, AND DIFFICULTIES IN THE PRESENT STAGE OF POLITICAL SCIENCE RESEARCH

It is apparent from the foregoing survey and analysis that political science is in a stage of transition and of some uncertainty in most of the countries where it is, or is becoming, a scholarly discipline in its own right. That its practitioners are, in general, aware of this—sometimes acutely aware of it—is, if not an evidence of progress, at least a *sine qua non* of progress. That much remains to be done will not be disputed by anyone familiar with the field. No attempt need be made here to list the particular lacunae in political science research in the different countries; many are apparent from the analysis just concluded. The more important problem is to discover what shortcomings there are in the main trends in most countries, and what difficulties are inherent in the kind of research revealed in those trends.

The dominant trend, in the political scientists' conception of their task, and in the sort of questions they set themselves, is clear enough. There is an increasing amount of more strictly empirical research, of which much, though not all, is being done with a sense of the need for a systematic general theory. Underlying this development is an uneasiness about the adequacy of existing political knowledge and existing political science methods.

The shortcomings of this trend must be judged by some criterion, and its dif-

ficulties (beyond the most superficial ones) must be discovered in confronting the inherent nature of the research with the criterion of the science. What criterion, then, are we to use? A decision can perhaps be reached by elimination.

1. One might say that political science research falls short of what might be expected of a political science, to the extent that it has not yet produced a systematic theory verified by practice. But to say this is to conceive political science too closely in the image of a natural science. Except perhaps for political science in the Marxist countries, where theory and practice are made interdependent, the test of practice is not available for the theories that political science research can produce.

2. Lessening the requirement, one might say that political science research falls short wherever it has not produced a systematic theory which, although not actually able to be tested by practice, does explain, to the general satisfaction of the political scientists, all the most important political phenomena under one or a few principles. But this is no adequate criterion. For such a set of principles may be generally accepted by the scholars of a country for a considerable time and then come to be rejected by them, or be considered unsatisfactory. Such appears to be the case with the "pressure group" interpretation, so well entrenched until now in American political science, and with various juristic theories of the state in Europe. Indeed, in political science (as in the natural sciences) rejection of established general theories, and pursuit of fresh specific researches, may be a sign of greater advancement and scientific penetration than the existence of a generally accepted theory.

In the natural sciences, when a prevailing general theory is rejected it is usually because it is seen not to be able to bring an adequate range of new (or newly discovered) phenomena under its general laws. In the social sciences this may also be the reason sometimes, but here another motive operates and is probably the more important: that is, that the functioning political system, as it is presented by the established theory, is felt by the scholars to be less defensible morally than it was. This appears less often as a conscious judgment than as an underlying worry, but it is perceptible at present among the political scientists of most countries, who are, in this respect, reflecting the attitude of a broader section of opinion. The change results less from any change in prevailing moral standards than from changes in the social structure and social relations which set up new moral demands on democracy.

In other words, the new matter which the accepted political theory cannot accommodate is not simply new factual phenomena, but new moral problems which have been brought into existence by changed social relations. When this is so, the requirement for valid political science research is both fresh empirical inquiry and fresh philosophical thinking. It is scarcely necessary to establish that we are in such a period now.

3. In this view, the criterion by which the progress and shortcomings of political science research ought to be assessed is not whether it has produced a systematic theory, or even whether it aims at producing a systematic positive theory by building up empirical studies. It is, rather, whether either systematic

theory or particular inquiries are being pursued with the requisite consciousness of the need to rethink a political philosophy adequate to the new moral problems posed by changes in society.

It is clear from the survey that political science in most countries is in or is approaching a stage of rejecting old principles and seeking new formulations which can be developed by empirical research. The requirements of empirical research are such as to put an emphasis on the mechanics of the phenomena, and on methods and techniques, and to subordinate, if not to extinguish, a conscious consideration of values. The great danger of the widespread efflorescence of empirical research is that it may take its distinction between positive and normative science to be more than a handy rule for preventing empirical research from being confused with value judgments in all its intermediate stages, and may make a fetish of positive political science. It is by no means clear that this danger has been avoided in current research.

The fundamental difficulty, therefore, of political science research in such a stage as the present is to keep a balance between either systematic or particular inquiries, on the one hand, and on the other, a political philosophy thought out in relation to a new set of social relations and problems. This is now becoming, and is likely for some time to be, the besetting difficulty of political science research. In the measure that the need for a new systematic positive theory of politics becomes the main preoccupation of political scientists, this difficulty will replace the hitherto prevailing difficulty which has attended empirical research, namely, the disposition of research to amass information for the sake of amassing information.

Still another difficulty is already evident and is likely to continue and even increase in strength: that research will be directed for thinly-veiled immediate pragmatic purposes. The amount of government-sponsored and government-directed research in political science already being done in some countries suggests that the most serious problem of political science research in liberal-democratic societies, now and in the years ahead, may be to avoid being used by governments for the manipulation of the political process at home or the furtherance of their purposes abroad.

PARTIES, PARTISANSHIP, AND PUBLIC POLICY IN THE PENNSYLVANIA LEGISLATURE

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A significant result of the report "Toward A More Responsible Two-Party System"¹ has been the marked growth of interest in the American party system. It is nevertheless true that our knowledge about the way in which party systems function is far from complete. An area promising fruitful research and presenting many hypotheses susceptible of systematic inquiry is that of the role of party organizations in the legislative process.

I. THE ROLE OF PARTY IN POLICY FORMATION

It is the purpose of this article to examine the legislative role of political parties in the Pennsylvania General Assembly;² more precisely, to measure their influence in the formation of the state's public policies in one session of the legislature.³ The most recent completed session at the time of this study was that of 1951—the longest session in state history.

In order to evaluate the impact of party upon legislation, the concept of a "party vote" has been used. This is merely an operating definition by which to measure differences in party attitudes on questions subjected to roll-call votes on the floor. The assumption was made that the interests of the parties can be established best by analyzing the voting behavior of their membership. Questions to which partisan significance is attached will find the parties aligned against each other.

To provide a definite standard for measurement, it was decided to call a party-vote one in which at least 80 per cent of one party voted opposite 80 per cent or more of the other party. Thus, for example, a vote would be considered a party vote if 40 (or more) Democrats out of 50 voted "yea" on a question and, say, 80 (or more) out of 100 Republicans voted "nay." To establish the total number of instances in which the parties differed significantly on roll-

¹ Committee on Political Parties of the American Political Science Association, "Toward A More Responsible Two-Party System," this REVIEW, Vol. 44 (Sept., 1950, Supp.).

² The Pennsylvania House of Representatives has 208 members; the Senate has 50. Republicans held large majorities in both houses in the 1951 session: 120 to 87 (one vacancy) in the House and 30 to 20 in the Senate.

³ For a study which considers this in the Illinois legislature, see William J. Keefe, "Party Government and Lawmaking in the Illinois General Assembly," *Northwestern University Law Review*, Vol. 47, pp. 55-71 (March, 1952). This article also examines the early study of this subject by A. Lawrence Lowell, "The Influence of Party upon Legislation in England and America," American Historical Association, *Annual Report, 1901*, Vol. I, pp. 321-543. Two other recent studies which examine party politics in Congress are Julius Turner, *Party and Constituency: Pressures on Congress* (Baltimore, 1951); and V. O. Key, Jr., *Southern Politics in State and Nation* (New York, 1949).

call votes, a tabulation was also made of the number of votes in which majorities (50 per cent plus one) in both parties voted opposite each other.

These standards were applied to all the roll-call votes of the 1951 session of the Pennsylvania legislature. There were 1,285 roll-call votes taken in the Senate and 1,330 in the House of Representatives. Tables I and II show how the

TABLE I. DISTRIBUTION OF 1951 SENATE SESSION ROLL-CALL
VOTES ACCORDING TO PARTY VOTING BEHAVIOR

	Number	Percentage
Parties in Disagreement		
Party Votes*	60	4.7
Party Majorities on Opposite Sides†	21	1.6
Parties in Agreement		
Party Majorities on Same Side	155	12.1
Unanimous Agreement	1049	81.6
Total Roll-Call Votes	1285	100.0

* 80 per cent or more of one party voting opposite 80 per cent or more of other party.

† Majorities in each party opposite but less than 80 per cent cohesion.

votes were distributed in the Senate and the House in terms of the agreement and disagreement registered between the parties. Singularly important in Table I, which contains Senate data, are the two percentages showing the number of party votes and the number of votes in which there was complete agreement between the parties. The first is surprising because it is so small: only 60 (4.7 per cent) of the 1,285 roll-call votes taken in the Senate found as much as 80 per cent of one party opposing 80 per cent of the other party. The second percentage is noteworthy because it is so large: 1,049 (81.6 per cent) of all the roll calls were resolved unanimously.

TABLE II. DISTRIBUTION OF 1951 HOUSE SESSION ROLL-CALL
VOTES ACCORDING TO PARTY VOTING BEHAVIOR

	Number	Percentage
Parties in Disagreement		
Party Votes*	142	10.7
Party Majorities on Opposite Sides†	33	2.5
Parties in Agreement		
Party Majorities on Same Side	228	17.1
Unanimous Agreement	927	69.7
Total Roll-Call Votes	1330	100.0

* 80 per cent or more of one party voting opposite 80 per cent or more of other party.

† Majorities in each party opposite but less than 80 per cent cohesion.

Also shown in Table I are two categories of votes which were neither party votes nor votes in which unanimous decisions resulted: those in which the party majorities either opposed each other or were on the same side. Thus, besides the 60 votes classified as party votes, there were an additional 21 votes in which party majorities opposed each other. Adding this figure to the first, it may be seen that there were only 81 roll-call votes (6.3 per cent) out of 1,285 in the Pennsylvania Senate in which Republican majorities opposed Democratic majorities. Obviously this is not a very significant amount of party conflict. Moreover, majorities in both parties were in agreement on 93.7 per cent of all the roll-call votes.

Table II contains the same type of data for the House of Representatives. There was more party voting in the House than in the Senate, and there were somewhat fewer unanimous roll calls, but the same general distribution is evident. Of 1,330 roll-call votes, 142 (10.7 per cent) were party votes.⁴ On another 33 roll-call votes the majorities of both parties were in opposition. In all, meaningful party divisions occurred on 13.2 per cent of the roll-call votes in the 1951 House. Conversely, the parties were in substantial agreement on the remaining 86.8 per cent, with 69.7 per cent being unanimous and 17.1 per cent having majorities in both parties on the same side.

The general conclusion to be drawn from these data is that in terms of their total number, the policy decisions which confronted the Pennsylvania legislature were mainly nonpartisan. Moreover, the tremendous number of unanimous votes which occurred is good evidence that most questions coming before the legislature not only have no significance for the parties but also have none for other large "interests", e.g., rural-urban or big city-outstate. Much of the job which state legislators set out to do every two years has little connection with the party label under which they were elected. There are, in fact, scores of bills transformed into public law each session which go through the legislative process without controversy of any sort.

However, the existence of this large amount of nonpartisanship in state legislation should not obscure the fact that there are very real interests of both parties in legislative matters and that many of the most important measures of the session are influenced by specific party attitudes and policies. This will be seen in the consideration of the various types of issues which gave rise to the 60 Senate and 142 House party votes.

II. PARTY ISSUES

One of the important characteristics of party voting in this session of the General Assembly was the large number of party votes which occurred on a relatively small number of subjects. The comparative frequency with which

⁴ The amount of party voting in the House, over that of the Senate, is not as great as it appears. Sixty of the 142 House party votes were on Democratic-sponsored resolutions to discharge committees from further consideration of bills. There was practically no debate on these and all were defeated in summary fashion by straight party votes.

party votes involved given subjects may be considered in Table III.⁵ Here it is useful to point out that the primary areas of disagreement between the parties on public policy questions involved matters of taxation, local government, labor relations, workmen's and unemployment compensation, reapportionment, and

TABLE III. THE SUBJECT MATTER OF PARTY ISSUES
IN THE 1951 GENERAL ASSEMBLY

Subject Matter	Senate		House	
	No.	Per-centage	No.	Per-centage
Taxation	6	10.0	32	22.6
Local Government	15	25.0	20	14.0
Labor Relations	—	—	22	15.5
Workmen's and Unemployment Com- pensation	6	10.0	14	9.9
Questions of Procedure	9	15.0	4	2.8
Questions of Organization	1	1.7	10	7.0
State Government	2	3.3	8	5.7
Reapportionment	9	15.0	—	—
Aid to Business	1	1.7	4	2.8
Public Utilities	—	—	5	3.5
Public Assistance	—	—	4	2.8
Motions to Discharge Committees*	—	—	4	2.8
Loyalty Oath	—	—	3	2.1
Public Housing	1	1.7	2	1.4
Appointments	2	3.3	—	—
Miscellaneous	8	13.3	10	7.1
Total	60	100.0	142	100.0

* See footnote 5.

the state administration. Nearly 70 per cent of the party votes of both houses related in one way or another to the above subjects.

The subject most contentious for the parties in the 1951 session was that of

⁵ A problem of classification resulted when party votes might reasonably be placed in more than one category. For example, House Democrats—in the minority—sponsored a large number of resolutions to discharge bills from committee. In debate they contended that the vote to be taken in each instance was actually a vote on the bill itself, for it was only through this parliamentary procedure that it could be brought to the floor. Conversely, Republicans maintained that the vote on a motion to discharge a committee had no relation to the substantive merit of the bill, but rather was a move to circumvent proper committee action. All of these discharge motions were defeated in straight party votes. The question involved in classifying the subject matter of these votes lay in whether to call them party votes on a matter relating to the legislative process—the position of the committee system—or to consider them in terms of the substantive provisions of the bills. The rule used here was to classify them as discharge motions if at a later date they were reported to the floor (indicating approval by Republican committee majorities), but if never reported, to classify them according to the bills' provisions. It need hardly be observed that in all but a few cases the bills were never reported.

a tax program. Note in Table III that 32 (22.6 per cent) of the 142 party votes in the House and six (10 per cent) of the the 60 in the Senate involved taxation. Thus, out of a total of 202 party votes in both houses, 38 (18.8 per cent) concerned the revenue policies of the state.

The second most controversial subject was legislation involving local governments: 15 (25.0 per cent) of the 60 Senate and 20 (14.0 per cent) of the 142 House party votes. Legislation pertaining to the field of labor relations brought 22 (15.5 per cent) party votes in the House. And bills to change the provisions of the Workmen's Compensation Act and the Unemployment Compensation Law involved, together, 14 (9.9 per cent) party votes in the House and six (10.0 per cent) in the Senate. There were eight (5.7 per cent) party votes in the House relating to the Administration and two on this subject in the Senate. Disputed in the Senate was the plan for redistricting Pennsylvania's congressional districts, and nine (15.0 per cent) party votes occurred as a result of Republican-Democratic differences on the question.

In evaluating the influence of party upon public policy, more than ordinary attention should be given to the fact that a large number of the party votes in both houses related to either organizational-period decisions—ten in the House and one in the Senate—or questions of legislative procedure—nine in the Senate and four in the House. Most of these had little or no effect upon the public policy decisions taken by the legislature.

Consider, for example, the ten party votes on questions of organization which developed in the House. One was on the election of the Speaker (the one Senate party vote in this category was similarly on the election of the President *pro tem*); the other nine occurred on Democratic amendments to change the House Rules. All of the proposed changes were concerned with the committee system, their general purpose being to increase the Democratic proportion of the membership on standing committees, to make public committee minutes, to reduce the power of committee chairmen, and to liberalize the rule under which committees may be discharged from consideration of bills referred to them.⁶ And all were defeated in straight party votes.

⁶ One of the proposed amendments took away the right of the chairmen of standing committees to vote except in the case of a tie vote. Under existing rules, the Speaker appoints both a chairman and a vice-chairman for each standing committee. Both have the right to vote, and they are in addition to the regular number of committee members. (Hence the majority party membership is greater than the party ratio in the House as a whole.) Another amendment provided that the committee ratio would have to be the same as the ratio in the House. Still another proposed change would have provided that any two committee members could request a roll-call vote in the committee, and that the minutes showing the vote would be "made available for public examination." To reduce the power of committee chairmen, an amendment provided that a majority of the members of a committee, two-thirds being present, could demand the immediate consideration of any bill or resolution which had been referred to the committee. Another proposed change advanced by the minority party provided that committee members could make public decisions taken in committee (although not what was said). The remaining important amendment would have reduced the number of votes required to discharge a committee from consideration of a bill from 105 to 85. (The Democratic membership was 87.)

The many party votes on questions of legislative procedure similarly had little direct effect on legislative products during the session. There were nine party votes in the Senate classified as relating mainly to procedural matters. All but two concerned motions,⁷ intermittently sponsored by both parties, to either recess or adjourn. For example, soon after the convening of the session, Republicans backed a resolution to adjourn for one month, contending that that amount of time was necessary for the Governor to get his program ready for submission to the legislature. It passed over Democratic opposition. Presumably to embarrass the Administration, Senate Democrats attempted to adjourn the General Assembly in June, although no tax program was even close to being adopted. Other resolutions offered from time to time for the purpose of either recessing or adjourning aroused like party controversy. The four House party votes in this category also were on recess and adjournment motions. Particularly opposed by House Democrats was a motion to recess the General Assembly from early October until after the November elections. Republican strategy, they contended, was to wait until after the elections to pass the tax measures. In nearly all cases, the procedural questions giving rise to party voting were tied up with party strategy, and their direct influence upon public policy was slight.

It will be instructive here to look more closely at the specific legislative areas of interest to (and influenced by) the parties. The number of party votes precludes examination of each one individually, but the more important and those which are representative will be considered.

Of leading importance, both quantitatively and qualitatively, were the party votes occurring on tax legislation. It was estimated at the beginning of the session that the General Assembly would have to raise a minimum of \$120,000,000 in new revenue in order to provide for such things as a soldiers' bonus, teacher salary increments, and a civilian defense program; the first of these alone amounted to \$60,000,000.⁸ The Governor's plan for raising this revenue centered in two tax measures, a one-half of one per cent personal income tax proposal and a bill to increase the corporate net income tax from four to five per cent. On these bills (chiefly on the flat income tax bill), and on other revenue proposals later offered in a "substitute package," occurred most of the 32 House party votes.

Tax measures which brought about party voting were caught up in many parliamentary maneuvers. Consider, for example, the six party votes in the House which related to Governor Fine's income tax bill. The Democrats first attempted to recommit it to committee for the purpose of holding a public hear-

⁷ These two both came on challenges by Senate Democrats to rulings from the chair. On a day late in the session when the Senate was working beyond midnight, Senate Democrats attempted to have a "committee of three" appointed for the purpose of calling Western Union to ascertain the correct time. The presiding officer ruled, and was sustained in a party vote, that the legislative day had not changed and that the Senate could therefore continue with that day's calendar. Democrats also appealed the right of the presiding officer to vote on the ruling which he had made. His right to vote was sustained in another party vote.

⁸ *Pittsburgh Post Gazette*, January 1. 1951.

ing, voted against it on second reading, opposed it unanimously the first time it was up for final passage (and with some Republican assistance defeated it at this time), attempted to amend a reconsideration motion to provide for public hearings on the bill, voted against a motion for reconsideration, and after this motion passed, voted against it on final passage. It passed by a vote of 109-97, with only one Democrat voting for it.⁹ Brought out repeatedly as the chief objection of the Democrats to the income tax bill was the fact that it lacked the graduated features of the federal income tax.¹⁰

There was only one party vote in the House on the bill to increase the corporate net income tax. As provided in the original bill, the increase was from four to five per cent. The Democrats attempted to amend it to increase it to six per cent.

Another large group of party votes in the House, 17 altogether, occurred on a series of eight bills introduced late in the session as a "substitute package" of taxes, when it appeared the Senate might not pass the income tax bill. The exact questions involved in the party votes need not be recorded, although most of them came on Democratic attempts to amend the bills or to place them on the postponed calendar. This tax package involved the following: a bill to accelerate tax collection (to provide for collecting the first six months of corporate net income tax for 1953 in 1952);¹¹ a bill to apply a gross receipts tax to public transportation utilities; a bill to apply a gross premium tax to domestic and mutual insurance companies; a bill to tax the dividends received by Pennsylvania corporations having out-of-state subsidiaries; a bill to change the basis on which stock transfers are taxed; a bill to increase inheritance taxes, in most cases, from 10 to 20 per cent; a bill to impose a one per cent tax on real estate transfers; a bill to increase inheritance tax collections by sealing deposit boxes, upon death of boxholders, until their contents could be examined by the state Department of Revenue; and a bill similar to the preceding but relating

⁹ Generally regarded as the strongest interest group in support of the income tax bill was the Pennsylvania State Education Society. According to the Democratic minority leader, Pennsylvania school teachers had been "deluded" by PSEA leadership into actively pressuring for it in the belief that a salary increase hinged on its passage.

¹⁰ An interesting insight into House-Senate relations dealing with the passage of the bill was that, following it, House Republicans moved to recommit the corporate net income tax bill to committee. In making this motion, the Republican majority leader noted that "Any program not including a broad base tax will of necessity involve more than an additional one per cent tax on corporate income." Since Senate Republicans least wanted this, there would be some pressure for them to accept the income tax bill.

¹¹ Most of the Democratic objection to the "package" centered on this bill. They contended that it was much more than a bill to accelerate collection, some of its provisions having the effect of greatly increasing corporation taxes. The Democratic minority leader held the view that it would bring in more revenue than the income tax bill. Generally, estimates were that it would bring in \$61,000,000 in corporate net income taxes that would ordinarily be collected in the 1953 biennium. Actually the bill amounted to deferring resolution of the tax issue until the 1953 session. (In that session a sales tax was put through on party-line votes with 100 per cent of the Democrats in both houses opposing it.)

to joint bank accounts. All of these passed over Democratic opposition. But even at the time of their passage, newspaper reports said that House Republicans hoped that the Senate would table them and pass instead the income tax bill.

Other party conflicts on tax matters in the House concerned issues of less importance. Several may be briefly noted: a bill to increase the maximum per capita tax rate for school districts; a bill extending the right of certain subdivisions to levy a wage tax; a bill to provide that new residents of a district and those attaining the age of 21 must notify their tax assessors. Democrats opposed these bills, all amendatory, as well. One of the more interesting party controversies on the question of taxation concerned an attempt by the Democratic minority leader to get a resolution adopted to provide that the Assembly would pass appropriations for one year's operation instead of two, with a view to having the Governor call a special session in 1952 for the purpose of considering the budget problem. It failed, of course.

At no stage during its stay in the Senate did the Governor's income tax bill give rise to party voting. The 20 Democrats, as expected, opposed it unanimously, but so did 10 of the 30 Republicans—and this split assured its defeat. There were, however, six floor votes in the Senate in which Republicans and Democrats differed on tax matters. Five of the six were on the "package" of tax measures which the House sent over, namely, the bills to tax public transportation utilities, life insurance companies, and real estate transfers. As in the House, Democrats were consistent in their opposition to tax measures. The other tax party vote in the Senate came on Democratic opposition to a provision in the Civil Defense Act which they said did not place strong enough restrictions on the taxing power of authorities once an emergency had been declared.

Attention may now be given to the local government issues which brought about party voting. Ten of the 20 House party votes classified under "local government" related directly to the city of Philadelphia, as did 11 of the 15 Senate party votes. Specifically, seven of the ten party issues on Philadelphia in the House concerned legislation which transferred the power to appoint the members of Urban Redevelopment Authorities and Housing Authorities in cities of the first class (Philadelphia only) from city officials—principally the Mayor—to the Governor, and which increased the membership of these bodies from five to seven. Party voting on the two bills providing for these changes occurred for the most part on Democratic attempts to recommit the bills for the purpose of holding public hearings and to amend them, and of course on their final passage.¹² The primary argument used by the Democrats against the

¹² The Democratic amendments which lost were the following: one which restored the power of the Mayor to appoint the members of the Urban Redevelopment Authority and kept the membership at five; one which restored the existing system of appointing the members of the Housing Authority—two members being appointed by the Mayor, two by the City Controller (a Democrat), with the fifth member chosen by the other four; and one which vested the power of appointing Housing Authority members in the Mayor alone (a Republican at that time) and reduced the number of members from seven to five.

bills was that they violated home rule and insured Republican control—at the state level—of city functions. In party-line voting both bills passed the House but were lost when they failed to come out of committee in the Senate.

In the Senate, nine out of the ten "local government" party votes occurred on one bill, introduced by a Republican Senator from Philadelphia, to abolish Philadelphia county offices and integrate their functions and duties into the city government.¹³ The bill was introduced shortly after the November election in which for the first time in sixty-eight years Democrats had won the city government (and also certain county offices). The specific feature of the consolidation bill which provoked the most controversy was that which affected the office of Sheriff, to which a Democrat had just been elected. The consolidation bill provided that the Sheriff would be appointed by the Philadelphia Board of (Common Pleas) Judges, and thus the newly-elected individual might lose his office. Democratic senators offered a number of amendments to the bill, all of which were defeated. They first attempted to give the City Council the power to provide for the office of Sheriff. When this was defeated, they offered successive amendments to give the power of appointment for this office to the Mayor, the Personnel Director, and the Commissioner of Records. Other similar amendments to the bill also lost. It eventually became acceptable to the Democrats when the sponsor had it amended to provide for a bipartisan commission to study the question and frame a supplement to the Home Rule Charter transferring and merging county offices. The same amendment deleted the provisions in the original bill which provided for immediate consolidation, and provided too that county officers elected in the last election would be permitted to serve out their terms.¹⁴

The other five party votes on local government legislation in the Senate concerned the following, all opposed by the Democrats: a bill to eliminate the eminent domain power of the city of Philadelphia to take land in adjoining counties for water supply purposes; a bill stipulating that one-half of the funds collected from water services by cities of the second class (Pittsburgh) would have to be used solely for maintenance and improvement of such water works; a bill to make it unlawful for cities of the first class (Philadelphia) to impose a wage tax on persons who are not residents of the city; and a bill to permit townships of the first class, by a vote of the township alone, to withdraw from a city within ten years after having been annexed.¹⁵

¹³ Constitutional amendments providing for this had been approved at the election.

¹⁴ Senate Democrats had earlier threatened to block all appropriation bills if the Republicans passed the bill as originally introduced. Appropriation bills require a two-thirds vote (34) of all members elected for passage in the Senate. Since there were only 30 Republicans, Democratic support was essential. This fact, incidentally, probably accounts for the scarcity of party votes on appropriation measures. Bipartisan support will nearly always be needed to pass an appropriation bill and it may be surmised that many bills lacking this simply do not come up for a vote.

¹⁵ A reading of the debate on the bill suggests that it would principally affect Scranton and its annexed 24th ward. The sponsor of the bill at no time advanced any reasons for its introduction. Speculation was that it was introduced at the request of former Democratic

Additional party votes on local government bills in the House may be noted. As in the Senate, House Democrats opposed the bill to provide for township re-establishment. Pittsburgh Democrats got party backing in their opposition to a bill which placed detectives in the Pittsburgh police force in the competitive class of the civil service, but the bill passed. A particularly controversial bill was one which provided that no public employees in Pennsylvania, state or local, could be prevented from participating in political activities after working hours. The *Philadelphia Inquirer* editorially called it "the most cynical political measure attempted in this state in years," saying it might as well have been titled: "An Act to Force the Philadelphia Municipal Court Back Into Politics."¹⁶ The explanation for this is that several months earlier the President Judge of the Municipal Court had issued a directive forbidding political activity by court employees. The bill passed the House over Democratic opposition—and attempted amendments—but failed to get out of a Senate committee. House Democrats also voted against a bill which increased the number of judges of the Philadelphia Municipal Court.

The second most controversial subject for the parties in the House—in terms of the number of party votes—concerned the field of labor relations. Twenty-two party votes developed on legislation relating to this subject. Actually, however, there was comparatively little debate on them and all but one occurred on Democratic motions to discharge the Committee on Labor Relations from Democratic-sponsored labor bills.¹⁷ All of the motions lost on straight party votes.

Similarly, 12 of the 14 party votes in the House on workmen's and unemployment compensation came about on Democratic motions to force committees to report bills. One of the two votes which dealt with bills themselves concerned a Democratic amendment to a Republican-sponsored bill which had the effect of liberalizing the benefit payments under unemployment compensation.¹⁸ The other bill involved was one amending employer liability laws. In party-

officeholders in the township who wanted to get back in power, or that the Republican party in Scranton wanted to see the township withdraw from the city since it had a preponderant Democratic registration. Altogether, there were three party votes on the bill in the Senate. It is interesting that the Governor vetoed it although its passage was due almost entirely to Republican votes in both houses.

¹⁶ *Legislative Journal*, June 25, 1951, p. 3465.

¹⁷ Representative of these bills are the following: bills to forbid employers from charging prospective employees fees for medical examinations, to amend the Labor Anti-Injunction Act, to require certain factories to employ a physician and a nurse, to eliminate the right of an employer to request an election, to prohibit discrimination in employment on account of age, to permit employees to leave work for a period up to two hours without loss of pay in order to vote, to prohibit the working of women for more than six consecutive days without at least one day of rest, and to provide that one member of the Pennsylvania Public Utility Commission shall be a representative of organized labor.

¹⁸ The effect of the amendment was to place compensation on a day-base plan. More employees who work less than a full week would be eligible for benefits. The major Pennsylvania labor unions had endorsed the amendment.

line voting (with many Republicans not voting), Democrats succeeded in amending the bill to broaden the coverage of the occupational disease provisions of the law.¹⁹ The 12 party votes on motions to discharge committees concerned a variety of subjects.²⁰ Senate Democrats also attempted to broaden the coverage of workmen's and unemployment compensation. In straight party votes they lost on amendments to bills to include civilian defense volunteers under the coverage of the Workmen's Compensation Act, and also on similar House and Senate bills which provided for disability benefits for policemen and firemen contracting heart or respiratory diseases.

The 1950 census reduced Pennsylvania's delegation in Congress from 33 to 30 and made it necessary for the 1951 General Assembly to draw up a reapportionment plan (unless all 30 were to be elected at large). In order to get the most favorable plan, Senate Democrats took the position of not giving the necessary votes to pass House appropriation bills until party differences on the reapportionment bill could be worked out.²¹ The result of this decision was that there were nine party votes in the Senate on House appropriation bills which the Democrats unanimously opposed. When the parties later agreed to the reapportionment bill, the appropriation bills passed without dissent. They had been controversial only because they formed a part of the Democrats' legislative strategy on reapportionment.

Six of the eight party votes in the House on the subject of "state government" were on Democratic motions to require committees to report certain measures.²² The other two occurred on bills which provided for the appointment of legislators to certain administrative commissions. The Democrats attempted to amend the bills to provide that both parties would be represented in the appointments. On another matter of state administration, Senate Democrats lost when they tried to force the Committee on Agriculture to discharge a bill abolishing the Pennsylvania Milk Control Commission.

Some of the other party votes illustrative of the differing interests of the

¹⁹ It made any total disability or death which could be traced to silicosis compensable; prior to the amendment the disability or death had to be due *solely* to silicosis. A Republican opponent of the amendment contended that this would practically give health insurance to miners. Democrats pointed out that the courts had frequently not upheld claims for compensation because of the "solely" provision.

²⁰ Some of the objectives of these bills may be noted: to increase benefits, to increase the periods in which claims may be made, to further define "unemployment," to increase the compensation paid to illegally employed minors, and to change the law regarding allowance for dependents.

²¹ As stated before, 34 votes are needed in the Senate to pass appropriation bills and there were only 30 Republicans.

²² Among them were the following: a bill to increase the overtime pay of state employees; a resolution providing for the Joint State Government Commission to study the functioning of the administrative departments and make recommendations for reorganizing in order to achieve greater economies; a bill to create a new state agency, the Pennsylvania Consumer Commission; and bills to require that the Workmen's Compensation Board, the State Welfare Commission, and the State Board of Public Assistance each have a representative of organized labor. As in nearly all party votes, the Democrats lost on the resolutions.

parties may be noted. All of the following were Republican sponsored (and opposed by the Democrats): a bill to create a State Apple Board to promote the consumption of Pennsylvania apples; a bill to provide that increased amounts of sulphur dioxide could be used in the preparation of certain canned foods; a bill to help protect the Pennsylvania trout hatchery business by requiring restaurants serving imported trout to label the country of origin on the menu (also a controversial bill in the 83rd Congress); a bill which strengthened the state's right to secure repayment from property left by deceased public assistance recipients; a bill having the effect of decreasing the authority of county boards of assistance and giving more power to the state Department of Public Assistance; a bill to provide that public housing projects could not be started unless approved by the "interested electorate"—voters living near the proposed site; and a bill which provided additional exceptions to compulsory school attendance.

Other party votes of interest occurred on issues such as these: a Democratic-sponsored amendment to increase the appropriation to the Western Psychiatric Institute, operated by the University of Pittsburgh; three amendments offered by House Democrats to the "loyalty oath" bill;²³ a Republican resolution to hold future inaugural ceremonies in the State Farm Show Building, instead of on the Capitol steps (the Democratic minority leader thought that there should continue to be "simplicity" in such ceremonies); and a Republican bill to prohibit individuals from advertising for matrimonial purposes, and outlawing the commercial conduct of matrimonial agencies. The introduction of this last bill followed a "lonely hearts" murder; a reading of the debate which took place fails to disclose why a bill like this should develop into a party issue.

The relative infrequency of party voting and the issues at stake in it have been shown. Although only a comparatively small number of the total number of votes followed party lines, it is nevertheless true that a high proportion of these were on significant questions of public policy. But it should also be pointed out that there were many other important measures, of equal concern to the public, which were settled on lines other than those of party.

Many major legislative proposals passed the 1951 legislature with the support of majorities of both parties. Among them were bills such as these: to increase substantially teachers' salaries; to outlaw the Communist party and other subversive groups; to increase truck weight limits; to authorize the sale of precolored oleomargarine; to provide for annual sessions of the legislature and absentee voting for war veterans through constitutional amendments; to create a "home rule" system of public health administration; and to extend the merit system in certain areas of state administration. And a number of measures such as the "loyalty oath" bill and the civil defense bill, which in their early stages

²³ The main effects of these amendments would have been to place public school teachers on the same basis as teachers in state-supported colleges and universities with respect to their meeting the bill's requirements, and to change the oath provision to the same as the one taken by the legislators. On final passage, majorities in both houses supported the bill: 97 per cent of the House Republicans and 79 per cent of the Democrats, 100 per cent of the Senate Republicans and 63 per cent of the Democrats.

were the object of considerable disagreement between the parties, eventually passed both houses with bipartisan support.

Also, many bills of far-reaching significance were lost in the session in actions unrelated to party policies or positions: for example, bills to change the formula under which the state reimburses school districts; to bring public utility employers and employees engaging in urban transportation under the provisions of the Compulsory Arbitration Act (called by opponents an "anti-strike" bill); to strengthen child-adoption laws (one of the most controversial issues in recent legislatures); to provide for local referendums on the question of Sunday evening entertainment (now prohibited); and to provide for the licensing and regulation of chiropractors. The point is made that many proposals of wide concern to the public, and having bearing on many groups within the commonwealth, are either adopted or defeated in votes in which the parties take no stand.

III. THE PARTY AS AN INTEREST GROUP

Consideration has been given in the preceding pages to the types of policy issues which were of concern to the parties. One of their most significant features is that a rather substantial number of them can be traced to the legislative party organizations' acting in the capacity of pressure groups, advancing and opposing legislation and other legislative matters primarily on the basis of their effect upon the party organizations. In this respect, they hardly differ from the National Association of Manufacturers, the CIO, or the American Legion. As in the case of pressure groups, they are desirous of getting legislation favorable to their group and of blocking measures which are counter to the interests of the party organization—both in and out of the legislature. Viewed from another standpoint, many of the decisions taken (on which party votes ensued) affected the Pennsylvania public in only the most indirect fashion, while their primary impact was upon the parties.

This can be illustrated by calling attention to some of the party vote issues in which the chief interest to be served was that of the party (the number of party votes is indicated in parentheses): the bills to transfer the power to appoint members of the Philadelphia Urban Redevelopment Authority and the Housing Authority from city officials (including the Democratic Controller) to the Governor (7); the bill expressly aimed at permitting Philadelphia Municipal Court employees to engage in political activities after working hours (2); the Philadelphia city-county consolidation bill, as originally introduced, in which Republicans and Democrats differed on what should happen with the Sheriff's office—to which a Democrat had just been elected—(9);²⁴ the bill relating to

²⁴ The original Republican version provided for appointment of the Sheriff by the Board of Judges. The Common Pleas Judges later held a meeting and asked to be "taken out of politics." The point is not made here that city-county consolidation would not be in the "public interest," as opposed to the "party interest," but that the original provisions of the consolidation plan, coming after the city election won by the Democrats, were at variance with the best interests of Philadelphia Democrats. This fact appears clearly in the Senate debate. *Legislative Journal*, December 13, 1951, p. 6202.

township re-establishment after annexation and aimed particularly at Scranton and its 24th ward (4); the appropriation bills caught up in Democratic strategy on reapportionment (9); Senate Democratic opposition on the Governor's appointments because of a long-standing feud with his Attorney General (2);²⁵ and Democratic attempts to insure that their party, as well as the majority, would be represented in appointments to certain administrative commissions (2). And a good case could be made for classifying the eleven organizational-period party votes as of predominant concern only to the party organizations;²⁶ similarly, the thirteen procedural questions—most of which involved adjournment or recess—were controversial mainly because of party strategy designed in some way to serve party interests. By conservative estimate, at least one-fourth of the party votes of the session may be traced to the "interest" politics of the party organizations.

CONCLUSION

There would seem to be five major understandings relative to the role of political parties in the Pennsylvania legislature which have been given an empirical validity in this study:

1. Nonpartisanship is much more in evidence than partisanship in the formation of the public policies of the state of Pennsylvania. Most of the decisions taken on the floor in the General Assembly are unanimous.²⁷ In the Senate unanimous roll-call votes amounted to 81.6 per cent of all those taken; in the House the percentage was 69.7.

2. In terms of the influence of party in policy formation, it was found that on only 4.7 per cent of the Senate roll-call votes and 10.7 per cent of the House votes were the parties substantially aligned against each other.²⁸ Moreover, a

²⁵ Undoubtedly the biggest party issue in the first part of the session concerned the Attorney General, who had first received his appointment under the previous Administration. Governor Fine contended that the Attorney General could serve without Senate confirmation until the end of the session. Party voting occurred when Senate Democrats blocked other appointments because they were not allowed to vote on confirmation of the Attorney General. Eventually the stalemate was resolved when he resigned. According to newspaper accounts, Democratic bitterness was traced to 1938 when the same individual, Attorney General under the Democratic Earle Administration, brought about a grand jury investigation of the Administration.

²⁶ Of course, the public is affected too if on the outcome of these particular decisions rested better or worse, more responsible or less responsible state government; but to trace such effects to the proposed rules changes which were the subject of these party votes would be difficult indeed.

²⁷ A partial explanation for this high degree of unanimity is the constitutional provision that no bill can become law or no resolution be adopted without a roll-call vote on final passage. Thus, the great number of bills of minor character (many of them amendatory) which are introduced and passed each session receive at least one floor roll-call vote even though no opposition to them has developed at any stage in the legislative process.

²⁸ It is true, of course, that the role of party in the legislative process extends beyond that which can be shown by the analysis of membership voting behavior on the floor. Certain party operations do not readily lend themselves to statistical measurement; for example, the party contribution to organizing the legislature, formulating its rules of opera-

noticeable number of these votes concerned organizational and procedural matters or party strategy—rather than questions of state law—and their chief consequence was for the party organizations, not the public. Pennsylvania's laws are chiefly the result of bipartisan votes in the legislature.

3. There are, notwithstanding, important policy areas in which there are significant differences in the party positions. These are relatively few in number, however, and in the 1951 session were to be found mainly on the subjects of taxation, local government (particularly Philadelphia's), labor relations, workmen's and unemployment compensation, reapportionment, and the state administration. Relatively clear-cut party differences on legislation involving these areas appeared and, on the basis of one session's data, are indicative of the major principles and policies which separate the parties in state politics. Indeed, real differences are apparent, but it is impossible to know, at this point, how much they can be attributed to (a) party principles consistent over a period of time, or (b) in-party—out-party tactics which develop because one party is the majority, and responsible for state policy, and the other is the minority, and not responsible.

4. To the extent that the data of one session permit generalization, it may be said that the questions of public policy of most interest to the parties, and the ones on which they are most likely to divide, are economic in character: taxation, labor relations, workmen's and unemployment compensation, public assistance, and public housing.

5. Suggested in the study—and a concept the importance of which warrants additional investigation—is the belief that one of the strongest interest groups operating in and upon the legislature is the party organization itself. Many legislative decisions have the primary purpose of furthering party ends, and the public interest, while it need not be opposite to that of party, is only of incidental concern.

tion, providing its leadership, assuming responsibility for the conduct of government, and, in the case of the minority party, clarifying policy, suggesting alternatives, and providing a check on the party in power.

It should also be pointed out that voting which took place in the committees of the legislature is not considered in this study. Aside from the task which would be involved in recording and analyzing committee voting, it would be impossible anyway in Pennsylvania, since committee records are not open to public examination. In any event, there is reason to believe that there is no important difference in the amount of party voting which takes place in committee as compared to that on the floor. The chief power residing with the majority party in committee is to refuse to report bills and resolutions which it opposes. However, any bill that is of real importance to the minority party can be made the subject of a discharge motion and a roll-call vote will have to be taken on it on the floor, thus indicating the attitudes of the parties on the bill. The Democrats offered numerous discharge motions in the 1951 session. The point of this is that party attitudes which would go undetected because of committee secrecy are brought to light on the floor through attempts—nearly always unsuccessful—to force committees to report bills.

FLORIDA'S NEW CAMPAIGN EXPENSE LAW AND THE 1952 DEMOCRATIC GUBERNATORIAL PRIMARIES*

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Efforts by various states to regulate effectively the use of money in political campaigns have heretofore left ample loopholes for determined politicians. Florida has attempted to plug the loopholes with a revised election code which has become popularly known as "The Who Gave It—Who Got It Law."¹ Informed political observers in the Sunshine State are in agreement that in the 1952 Democratic gubernatorial primaries the new law gave an accurate accounting of monies.

Florida, like other states, has a number of economic interests which in the past have been associated with unreported contributions and expenditures in political campaigns, notably racing (both horse and dog), liquor, and corporations holding public utility franchises.² By early 1951, Floridians, having had more than a fair share of adverse publicity concerning tie-ins between gangsters and politicians, were eager to guard against such tie-ins in the future. The Florida voter felt that the existing law did not effectively regulate campaign financing, and demanded effective regulation.³

Another factor in Florida's desire for a new approach to the regulation of money in elections was the generally accepted belief that the old law simply was not honored. An eminently respectable candidate told a reporter following his defeat in the Democratic nominating primary of 1948: "Rather than lying about it [total expenditures], I just didn't file the final statement [required by the old law]. The only penalty was disqualification from holding the office, and I'd already lost the election."⁴

Aware of the heavy undisclosed contributions during the 1948 Democratic gubernatorial campaign, and of the extensive outlay of money in the United States Democratic senatorial primary race in 1950 (George Smathers vs. Claude Pepper), members of the 1951 Florida General Assembly convened at

* The writer acknowledges the cooperation of Secretary of State R. A. Gray, Mr. W. P. Bevis, Mr. Milton Folds, and Mrs. W. E. Glisson of the Elections and Commissions Division of the Secretary of State's office, and the Statutory Revision Department of the Attorney General's office.

¹ Chapter 26819 (Senate Bill No. 8), Acts of 1951, *Laws of Florida*.

² Such associations were noted in the hearings before the Kefauver committee at Miami and Tampa.

³ General public knowledge of these "tie-ins" came from the Kefauver hearings at Miami and Tampa and the reaction was one of high indignation. The Florida electorate had also been informed after the 1948 election of large financial contributions made to the successful candidate for governor. In this instance one of the three most widely publicized contributors was a Chicago and Florida race track owner and a long-time associate of the Capone gang.

⁴ Quoted in Freedman, "Two '48 Campaigns Put Spotlight On Excessive Expenditures; 1951 Legislature May Draft Some Curb," St. Petersburg *Times* pamphlet (1951).

Tallahassee intent on making a thorough-going study and revision of the existing election code.⁵ Representative Charles E. Shepperd of St. Augustine, a veteran member of the State House of Representatives and a member of its Elections Committee which considered the proposed new election campaign expense law, said that it was designed to "help clean up a political stench that rises to high heaven." He also said that the law had been drafted with the intent of "helping to keep elections from being bought by an open-handed, last minute expenditure of money, as has been done in the past."⁶ In an opinion of September 25, 1951, the Florida Attorney General stated: "There may be those who consider that compliance with the provisions of Section 99.161 will be burdensome; nevertheless, it is recognized that the Legislature in enacting the law has sought to cure evils obvious to informed people."

The law as eventually passed in 1951 was a serious effort at preventing corrupt practices in Florida elections, with special emphasis on campaign finances.⁷ The revised Florida election code is the first comprehensive attempt to adjust state regulation of campaign finances to the facts of contemporary political life. It recognizes the impossibility of putting limits on total expenditures for public office but demands adequate publicity of all expenditures and all contributions, including services in lieu of cash contributions.⁸ And, while permitting unlimited expenditures, it limits individual contributions to \$1,000.⁹ It also imposes responsibility on each person involved in the financial process—donor, treasurer or deputy treasurer, and candidate.¹⁰ The law requires a type of publicity which keeps before the electorate an up-to-date account of *all* monies involved in the political race so that *before* the citizen votes he knows the exact amount received by all candidates, the contributors and amount contributed by each, and the total expenditures and kinds of expenditures made by the candidate.¹¹ It also requires that all monies go through a treasurer's hands, be deposited in a designated bank depository, and be accounted for by the treasurer within twenty-four hours of initial receipt.¹²

The new law, in attempting to prevent contributions from sources which are

⁵ The St. Petersburg *Times* had conducted a campaign of educating Florida citizens and especially the members of the Legislature on the need for a new approach to the control of money in elections. For the full story of the *Times'* methods see their publication "Who Gave It—Who Got It?." Special mention must be made of Morty Freedman, one of their political reporters. Mr. Freedman has been most generous in supplying information to the writer.

⁶ *Florida Times-Union*, Dec. 21, 1951.

⁷ The revised code, termed the Dayton-Andrews bill (Senator Dayton was Chairman of the Elections Committee, while Representative Andrews was a long-time student of the Florida election code), passed the House by a vote of 49-30 and the Senate by a 30-6 margin, after having been defeated on a voice vote.

⁸ *Compilation of the Election Laws of the State of Florida* (Tallahassee: Secretary of State and Statutory Revision Department of Attorney General's office, 1951, pamphlet), Section 99.161(4)(a)(7).

⁹ *Ibid.*, Section 99.161(2).

¹⁰ *Ibid.*, Section 99.161(1)(a)(b)(c), (3), (4), (7).

¹¹ *Ibid.*, Section 99.161(8).

¹² *Ibid.*, Section 99.161(7).

suspect, prohibits "any contribution of any nature to any political party or to any candidate for nomination for, or election to, political office in the State of Florida," by:

1. Those persons holding a horse or dog racing permit or any persons with a vested economic interest in horse or dog racing.
2. Those persons holding a license for the sale of intoxicating beverages or any persons with a vested economic interest in same; and,
3. Persons operating a public utility subject to grant of franchise or regulation by the state or any persons with a vested economic interest in same; however, persons who are members of non-profit cooperative corporations operating public utilities are exempt from this prohibition.¹³

All candidates, save those running for municipal offices, are subject to the revised law.¹⁴

Efforts to regulate campaign finance are bound to be meaningless unless stringent penalties are attached and enforced.¹⁵ The penalties provided for in the Florida revised election code include the possibility of conviction for commission of a misdemeanor or felony, citation for contempt, revocation of charter or permit, and the loss of commission to office.¹⁶

Although the three leading contenders for the Democratic nomination for governor in 1952 (tantamount to election in Florida) all expressed a desire to follow both the spirit and the letter of the new law and heartily endorsed its general objective,¹⁷ a serious threat to the Florida effort arose in November, 1951, when the "Who Gave It—Who Got It?" section of the code (99.161) was challenged as being a denial of freedom of speech and of the press.

This challenge was initiated by a Tallahassee attorney, J. Kenneth Ballinger, who asked Attorney General Richard W. Ervin, in effect, if it were permissible for a private citizen to purchase newspaper space or radio time for his favorite candidate *without* that candidate's knowledge. The Attorney General advised that since such expenditures were within the meaning of the revised law "any such expenditures made must be paid in pursuance of the procedure set forth in the law," and that "neither a newspaper nor a broadcasting company may lawfully accept any money from a citizen for the purposes and under the circumstances" described in the question. Mr. Ervin added: "Nothing in this answer is to be construed as limiting the full right of any citizen freely to express himself concerning any candidate, short of the expenditure of funds or incurring of expenses for such purposes."¹⁸

¹³ *Ibid.*, Section 99.161(1)(a)(b)(c).

¹⁴ *Ibid.*, Section 99.161(10).

¹⁵ "The penalty provisions for its [the new election campaign expense law] violation, as set forth in Section 104.27, are so drastic in relation to a person's candidacy that, in the absence of court construction, extreme caution should be observed in arriving at the meaning and intent of its provisions." *Opinion of Florida Attorney General*, Sept. 25, 1951.

¹⁶ Chapter 26819, Acts of 1951, *Laws of Florida*, Section 104.27.

¹⁷ J. Wesley Fly (candidate McCarty's campaign treasurer) to R. A. Gray, Oct. 29, 1951; J. Brailey Odham (candidate) to R. A. Gray, Oct. 19, 1951; and Alto Adams (candidate) to R. A. Gray, Nov. 14, 1951.

¹⁸ *Opinion of Florida Attorney General*, Nov. 30, 1951.

Shortly after this opinion was given, the editor of the Calhoun County *Record* of Blountstown brought suit in behalf of many Florida weekly newspapers contending that the law restrained him in his free right to publish a newspaper and was therefore a violation of the constitutionally guaranteed freedom of the press. Circuit Judge Ira A. Hutchison of Panama City upheld his contention.¹⁹

In the meantime the owner of radio station WPLA at Plant City brought suit contesting the constitutionality of the law on the grounds that it violated both freedom of the press and freedom of speech. In this case Circuit Judge Henry Tillman of Tampa held that the law did not violate either guarantee.²⁰ An early decision by the Florida Supreme Court to resolve the issue was made impossible when Mr. Ballinger, busily engaged in campaigning for the Florida House of Representatives, asked for and was granted additional time in which to prepare his brief. As a result of this extension it was not until September 30, 1952 that the case was argued before the Supreme Court.

Mr. Ballinger contended that the constitutional rights of his clients were abridged by provisions of the election code which required all advertising and radio time purchases to be cleared through a candidate's campaign treasurer. He said that such a requirement is an "unconstitutional restraint" on the citizen who wants to buy advertising in behalf of a candidate or speak over the radio for his favorite nominee. He further argued that the law would not permit a newspaper owner to mail out extra copies of papers containing an editorial favoring a candidate, print or distribute handbills, hire a hall, rent sound equipment, or "take advantage of the mechanical aids of free speech" without prior authorization from the candidate or his representative. He concluded by insisting that this provision of the law amounted to previous license and censorship, both of which had been repeatedly held unconstitutional by the Supreme Court.²¹

The attorneys for the State denied that the law prohibited any citizen from purchasing radio or newspaper advertising space, and contended that it merely required that they do so through the authorized agent of the candidate, the campaign treasurer. They pointed out that there was no "inherent" right of a citizen to buy radio time or newspaper space and that the right of a publisher or broadcaster to reject advertising or talking time had been sustained in the courts. The attorneys insisted that to strike down this section of the new code would defeat the intent of the legislators and make it impossible for the Florida citizen to learn "who gave it and who got it."²² The Court held on March 17, 1953, by a vote of four to two, that the 1951 law requiring all campaign expenditures to clear through a candidate's treasurer and to be strictly accounted for was a constitutional exercise of the police power of the state.²³

Even though the law had been challenged and the case was before the courts,

¹⁹ *Finlay v. Ervin*, 1 Fla. Supp. 198.

²⁰ *Smith v. Ervin*, 1 Fla. Supp. 202.

²¹ *St. Petersburg Times*, Oct. 1, 1952.

²² *Ibid.*

²³ *Smith v. Ervin*, 64 So. 2d 166.

the 1952 gubernatorial campaign, in compliance with the revised code, saw more publicity concerning campaign finances than ever before in the state. Each week the Secretary of State's office was flooded with the official reports containing detailed accounts of contributions and expenditures. Of the five Democratic candidates for governor, two together polled only 18,079 of a total of 738,479 votes. An analysis of the official reports of these two candidates would not be useful. Table I shows the total expenditures, vote received, and the cost per vote for the three leading Democratic contenders in Florida's first gubernatorial primary, May 6, 1952. For the first time we learned from official

TABLE I. TOTAL EXPENDITURES, TOTAL VOTE, AND COST PER VOTE OF THE THREE LEADING DEMOCRATIC CONTENDERS IN FLORIDA'S FIRST GUBERNATORIAL PRIMARY, MAY 6, 1952*

Candidate	Expenditures	Total Vote	Cost Per Vote
Adams	\$154,401	126,426	\$1.22
McCarty†	156,239	361,427	.43
Odham†	72,753	232,565	.31

* Data in all tables were compiled from reports filed in the office of the Florida Secretary of State, Elections and Commissions Division. Expenditure figures are rounded off to the nearest dollar.

† These candidates subsequently opposed each other in the second or "run-off" primary of May 27, 1952.

reports the high cost of running for governor in Florida. The results of this election indicate that there was little or no correlation between money spent and the number of votes received. Adams, who spent more than twice as much as Odham, received less than half as many votes, while McCarty, whose expenditures also totaled more than twice those of Odham, received one and one-half times as many votes.

McCarty, who had been the runnerup in the 1948 gubernatorial race, had strong financial backing in the \$100 or more category from all major metropolitan areas of the state, as well as an excellent overall coverage of south, east, west, north, and central Florida. While Adams had backing from the same general areas, only about half as many persons contributed \$100 or more to his campaign as did to McCarty's. Odham, on the other hand, received the bulk of his contributions of \$100 or more from central and south Florida, with 229 of the 450 contributors in this category residing in Orange, Seminole, Dade, and Hillsborough counties. (See Tables II and III.)

McCarty and Adams received financial backing from the same county areas (primarily urbanized). McCarty, however, had 551 more individual contributors of \$100 or more in these areas than Adams. Adams, on the other hand, received more generous contributions from his donors than did McCarty (see Table IV). In Dade, Duval, and Hillsborough counties, where McCarty had two to three times more individual contributors of \$100 or more than Adams, he received almost three times the number of votes. Pinellas, one of Florida's

TABLE II. TOTAL NUMBER OF INDIVIDUAL CONTRIBUTIONS OF \$100 OR MORE ARRANGED BY CITY IN FLORIDA'S FIRST DEMOCRATIC GUBERNATORIAL PRIMARY, MAY 6, 1952

City	Population	McCarty	Adams	Odham
Miami	249,276	198	76	47
Jacksonville	204,517	121	58	13
Tampa	124,681	92	27	42
Ft. Pierce*	13,502	90	24	2
Tallahassee	35,025	69	73	11
St. Petersburg	96,738	49	34	8
Orlando	52,367	40	21	70
Ft. Lauderdale	36,328	36	9	7
Panama City	25,814	29	27	10
W. Palm Beach	43,162	28	22	3
Pensacola	43,479	25	4	0
Lakeland	30,851	23	1	8
Ocala	11,741	18	1	14
Gainesville	26,861	18	8	6
Clearwater	15,581	17	1	0
Coral Gables	19,837	11	0	0
Sanford†	11,953	6	1	55
Miami Beach	46,282	0	10	15
Daytona Beach	30,187	0	1	13
Bradenton	13,604	2	0	10
All others	—	167	104	116
Total		1,056	505	450

* Home town of McCarty and Adams.

† Home town of Odham.

TABLE III. VOTE OBTAINED BY EACH OF THREE TOP DEMOCRATIC CANDIDATES IN GUBERNATORIAL PRIMARIES IN FLORIDA IN TEN COUNTIES IN WHICH HE RECEIVED LARGEST NUMBER OF CONTRIBUTIONS OF \$100 OR MORE

County	Population	No. of Contributions of \$100 or more			Vote Received First and Second Primary				
					McCarty		Odham		Adams
		McCarty	Odham	Adams	First	Second	First	Second	First
Dade	495,084	209	62	86	68,921	73,941	42,951	63,407	20,389
Duval	304,029	121	13	58	34,883	39,175	28,103	38,497	7,552
Hillsborough	249,894	92	42	27	19,543	23,941	26,688	30,437	7,143
St. Lucie*	20,180	90		24	4,569	5,360			2,330
Leon	51,590	69	11	73	7,519	8,571	2,076	4,692	3,262
Pinellas	159,249	66		34	14,058	15,523			5,140
Orange	114,950	40	70	21	10,517	11,508	10,541	14,939	4,444
Broward	83,933	36		9	14,275	12,409			4,213
Bay	42,689	29	10	27	4,998	5,336	5,737	6,697	2,011
Palm Beach	114,688	28		22	16,570	16,480			5,695
Seminole†	26,883		55				4,252	4,310	
Marion	38,187		14				3,904	4,630	
Volusia	74,229		13				5,104	9,151	
Manatee	34,704		10				4,179	4,389	

* Home county of McCarty and Adams.

† Home county of Odham

two Republican counties, gave substantial financial aid to both Adams and McCarty but practically no aid to Odham, who was regarded as the most "liberal" of the candidates. The only county in which Adams received more individual contributions of \$100 or more than McCarty was Leon, the site of Tallahassee, the state capital, where Adams had resided during his eleven years as a member of the Florida Supreme Court.

Odham's counties offer a considerable contrast to those of his two opponents. His counties were in central Florida, although he did receive some financial aid in the \$100 or more category from two counties in west Florida (Leon and Bay) and one county on Florida's east coast (Volusia). In contrast to Adams' and McCarty's counties, Odham's represent rural or fringe-urban areas. Although an analysis of individual county and city contributions does not demonstrate any significant correlation between the money received and the vote received, it does suggest a positive correlation between the total *number of contributors* and total vote received—the greater the number of contributors, the larger the vote received.

TABLE IV. RANGE DISTRIBUTIONS OF NUMBER OF CONTRIBUTIONS FROM \$100 TO \$1000 TO THE CAMPAIGN FUNDS OF MCCARTY, ADAMS, AND ODHAM FIRST AND SECOND FLORIDA DEMOCRATIC GUBERNATORIAL PRIMARIES, 1952

Range	McCarty*	Adams†	Odham*
\$100 to 299	956	362	414
300 to 499	31	63	30
500 to 699	39	52	1
700 to 899	3	9	1
900 to 1,000	6	19	4

* Both primaries.

† First primary only.

Relatively speaking, the number of large individual contributions to the Adams campaign offers striking contrast to the distribution in Odham's case, with McCarty assuming an intermediate position. Adams' major contributors came from the upper-middle to upper economic groups, with these two groups donating more heavily to his campaign than to that of any other candidate. McCarty's official reports show that his contributors range from middle to upper economic groups, with a significant number of professional people giving their support. Odham, however, received the bulk of his money from small

TABLE V. TOTAL NUMBER OF INDIVIDUAL CONTRIBUTIONS OF LESS THAN \$100 FOR MCCARTY, ADAMS, AND ODHAM IN FLORIDA'S FIRST AND SECOND PRIMARIES, 1952

McCarty*	Odham*	Adams†
3,777	11,253	454

* Both primaries.

† First primary only.

contributions, the majority of which came from the middle economic group.²⁴

The total contributions under \$100 reflect the tremendous vitality of Odham's effort to attract financial support. His two rivals were completely outstripped in this category. Odham, employing techniques calculated to attract a large number of small donations, pitched his campaign on the theme "Dollars for Decency"—a plea for the restoration of integrity and honesty to the state government. This appeal produced an avalanche of one-dollar contributions and the bulk of his 11,253 donations under \$100 were in one-dollar amounts. Odham also resorted to a comparatively new campaign technique, the radio-talkathon, and this also attracted many small contributions. The official reports show a sharp rise in number of contributions from each area immediately following his radio-talkathon.

TABLE VI. WEEKLY EXPENDITURES OF MCCARTY, ADAMS, AND ODHAM IN THE FIRST DEMOCRATIC GUBERNATORIAL PRIMARY, MAY 6, 1952 BEGINNING WITH THE REPORT DATED FEBRUARY 1, 1952

Adams	Odham	McCarty	Date Filed*
\$3,732	\$ 868	\$1,653	2-1-52
1,705	406	2,843	2-8
3,504	446	4,153	2-15
301	547	4,077	2-22
4,361	1,032	4,969	2-29
1,997	759	4,349	3-7
1,896	3,272	3,959	3-14
8,402	1,223	4,019	3-21
11,715	4,037	7,515	3-28
11,846	5,573	13,377	4-4
12,206	9,940	16,680	4-11
15,866	8,078	17,854	4-18
16,263	10,549	17,770	4-25
42,009	19,047	32,780	5-5
—	—	14,941	5-9
6,230	—	—	5-20

* Expenditures are for the week preceding the date shown, except for the final reports.

Students of American politics have heretofore had to turn to tabulating newspaper and radio advertising and weighing and evaluating campaign literature in attempting to assess the amount of money spent at any given time in the course of a political campaign. Such efforts have demanded an extraordinary expenditure of energy and in many instances have been lacking in accuracy. In contrast, the official reports required by Florida's new election code give an accurate account of weekly expenditures. Adams, Odham, and McCarty followed an identical pattern of expenditures. All three increased their expendi-

²⁴ The official reports require both name and address of each donor. The writer analyzed the lists of donors, using their professional, business, or occupational status as a prime base in determining economic group.

TABLE VII. WEEKLY CONTRIBUTIONS TO MCCARTY, ADAMS, AND ODHAM IN THE FIRST DEMOCRATIC GUBERNATORIAL PRIMARY, MAY 6, 1952

Adams	Odham	McCarty	Date Filed*
\$5,325	\$ 446	\$3,320	2-1-52
1,500	1,099	4,050	2-8
2,245	417	8,190	2-15
3,547	537	5,712	2-22
2,645	1,067	6,956	2-29
1,747	1,760	5,160	3-7
3,075	3,446	4,658	3-14
14,553	1,416	4,859	3-21
11,691	4,723	9,174	3-28
8,748	5,647	10,240	4-4
10,331	10,898	15,527	4-11
15,244	8,133	16,100	4-18
18,026	11,790	22,014	4-25
39,319	31,841	42,999	5-5
—	—	212	5-9
—	20,529	—	5-10
3,738	—	—	5-20

* Contributions are for the week preceding the date shown, except for the final reports.

tures as election day drew nearer and all spent the greatest sums of money in the week immediately preceding the first primary.

Adams, who spent the largest amount in the final week of the campaign, devoted a major portion of his money in the closing days of the campaign to the conventional and traditional devices, i.e., printed literature via mail and handout, with some newspaper and radio advertising. Odham devoted the lion's share of his expenditures to the radio-talkathon. McCarty divided his heavy expenditures almost equally between radio advertising and the printing, mailing, and distributing of literature. The reports of expenditures suggest that since all three candidates followed the same general pattern and at about the same rate of increase, other factors were more important than the expenditure of money in their behalf. The evidence points to the unusual technique used by Odham and the effective statewide organization of McCarty as the other factors. As expenditures mounted during the last eight weeks of the campaign, so also did contributions. Since the new Florida election law restricts expenditures for all candidates to amounts on deposit,²⁵ it was to be expected that contributions and expenditures would be in almost exact ratio.

McCarty and Odham, the top Democrats in the first primary, met again in the second or "runoff" primary on May 27, 1952. They had sixteen days in which to collect money and twenty days in which to campaign actively. As in the first primary, the candidate spending the most per vote was unsuccessful; however, in both instances the candidate who spent the largest total sum of money came out ahead. Odham added 104,151 votes to his first primary total

²⁵ *Compilation of the Election Laws of the State of Florida*, Section 99.161(6).

TABLE VIII. TOTAL EXPENDITURES, TOTAL VOTE, COST PER VOTE IN FLORIDA'S SECOND DEMOCRATIC GUBERNATORIAL PRIMARY, MAY 27, 1952.

Candidate	Expenditures	Vote	Cost Per Vote
McCarty	\$95,721	384,200	\$.249
Odham	84,616	336,716	.251

while spending \$11,863.66 more than in all the previous weeks combined. McCarty gained 22,773 votes and spent \$60,507.99 less than in the previous weeks of his campaign. Perhaps this is an indication that there is merit in going all-out in a very short period of time just prior to an election. An analysis of the election returns to determine whether the Adams vote shifted heavily to Odham is inconclusive, but there is an indication that Odham received Adams' votes in Volusia, Polk, Pinellas, Palm Beach, Hillsborough, Dade, and Duval counties. However, since Odham made serious efforts to attract new votes in these areas, it is impossible to determine whether the increase resulted from his actions in the interim period, from the actions of Adams himself, or from decisions of individuals to support Odham, their preferred candidate having been eliminated in the first primary.

Political scientists have long attempted to ascertain precisely where the campaign dollar goes. The expenditure reports required under the new law give an accurate picture of the distribution of the Florida campaign dollar. The breakdown of the campaign dollar for the leading three Democratic candidates in the Florida gubernatorial primaries of 1952 are shown in large general groupings in Table IX.

TABLE IX. GENERAL BREAKDOWN OF EXPENDITURES OF MCCARTY, ADAMS, AND ODHAM IN FLORIDA'S FIRST AND SECOND GUBERNATORIAL PRIMARIES OF 1952

Item	Candidate	Total Expenditures	Per Cent of Total
Radio and TV	McCarty	\$64,481	25.5
	Odham	91,172	57.8
	Adams*	29,499	19.1
Newspaper advertising	McCarty	47,117	18.7
	Odham	9,337	5.9
	Adams*	19,685	12.7
Printing	McCarty	45,688	18.1
	Odham	16,301	10.3
	Adams*	26,090	16.8
All other—salaries, travel, etc.	McCarty	94,673	37.7
	Odham	40,558	26.0
	Adams*	79,125	51.4

* First primary only.

Odham diverted seventy-four per cent of his funds to radio and TV, newspaper advertising, and printing, with the major portion going into his radio talkathons (57.8 per cent). McCarty used slightly over sixty-two per cent of his money for advertising, dividing his total almost evenly among radio-TV, newspapers, and printed materials. The reports show that Adams used the more traditional method of mailing vast quantities of printed campaign materials.²⁶ He also employed more persons on his headquarters' staffs and paid higher salaries than either McCarty or Odham. The evidence suggests that the older approach did not pay dividends and that greater use of radio by Adams might have made a difference in the outcome of the election.

TABLE X. TYPICAL ITEMS ON FLORIDA EXPENDITURE REPORTS: GRAND TOTALS
FOR ODHAM BOTH 1952 DEMOCRATIC PRIMARIES

1. Salaries, including all secretarial and bookkeeping work and labor in all county organizations not donated.....	\$ 12,016.00
2. Radio and TV advertising.....	91,172.65
3. Newspaper advertising.....	9,337.67
4. Printing of "Odham Record," signs, bumper strips, etc.....	16,301.65
5. Office supplies.....	3,498.69
6. Postage, freight, express, etc.....	4,363.12
7. Telephone and telegraph.....	7,790.55
8. Rental of county headquarters, halls, parks, and locations for public meetings, including utilities.....	2,288.33
9. Expense in travel.....	18,264.86
10. Miscellaneous expenses, including qualifying fee, sound equipment, rental of chairs, photo services, and other items not otherwise listed..	2,408.41
Total.....	\$157,370.08

The underlying premise of the new Florida election law is that if the people are informed as to the exact nature of the financing of a candidate's campaign they are capable of making a sound decision when casting their votes. This premise is based on two assumptions: (1) "too much" money reported by any candidate would contribute to his defeat, and (2) if the names of persons appearing on his contributions lists were obviously "wrong people" in the eyes of the general public, his candidacy would be adversely affected.

One of the best features of the present law is its self-policing effect. The candidates watched each other "like hawks," sending their workers to the Secretary of State's office regularly to copy lists of contributors and amounts for their opponents and then carefully checking these names with the public records to see whether or not they fell within the barred categories or gave over the \$1,000 limit. The publicity which was necessary if the law was to be mean-

²⁶ The writer has attempted to adjust the losses the Adams people suffered in a fire during the campaign which almost completely destroyed their Tallahassee headquarters (state headquarters). One large item which went up in smoke consisted of uncounted numbers of both stamped cards and stamped envelopes. A considerable amount of campaign literature was also destroyed.

ingful was provided by a conscientious corps of political reporters, including representatives of both Associated Press and United Press, who eagerly awaited the arrival of the official reports at the Secretary of State's office in order to send an account of the contents to their respective offices for publication.

For the first time in the history of Florida politics, the electorate was given a comprehensive picture of money in a gubernatorial election. Never before in any state have such complete financial reports on a gubernatorial campaign been made available. Mr. W. P. Bevis, chief clerk in the Elections and Commissions Division of the Secretary of State's office since 1931, says that the revised code is "the best we've ever had," and the only one that "tells us the picture."²⁷ Mrs. Hortense K. Wells, long active in Democratic party organizational affairs (eight years the Democratic National Committeewoman from Florida), contends that the 1951 code "kept the election open and above board."²⁸

The 1953 legislature strengthened the election code by clarifying confusing statements, eliminating conflicting provisions, and putting additional teeth in the punitive section.²⁹ In view of the action by the 1953 legislature, the favorable court decision in March, 1953, and the almost unanimous verdict that the revised election code effectively regulates money in Florida elections, it can be concluded that the Florida electorate will continue to be among the best informed on all aspects of campaign finances.

The revised code, especially that part which deals with campaign funds, may not have dried up *all* undercover financial activity. As Senator W. A. Shands of Gainesville has said, ". . . it is impossible to legislate honesty into anyone," but ". . . if we have the proper safeguards it is usually correct to assume that the dishonest man will go to the well once too often."³⁰ Representative Shepperd voiced the opinion: "It may not be a perfect law, for few laws are perfect. But it represents an honest attempt to help clean up politics. Any candidate who seeks to evade its provisions by subterfuge or by means of some legal loophole or technicality isn't fit to seek a public office in Florida."³¹ The new Florida campaign expense law has proven its effectiveness at the state level; it might well be used as model for regulating money in national campaigns.

²⁷ Interview, Oct. 20, 1953.

²⁸ Interview, Oct. 22, 1953.

²⁹ *Compilation of the Election Law of the State of Florida* (Tallahassee: Secretary of State and Statutory Revision Department of the Attorney General's office, August 1, 1953), Section 99.021, .061(4), .161(9), .172, .183, and Section 104.051, .27(8), .271, .371, .38, .381, .46.

³⁰ As quoted in *Who Gave It—Who Got It?*, St. Petersburg Times, pamphlet (1951).

³¹ *Florida Times-Union*, Dec. 21, 1951.

THE AMERICAN PARTY SYSTEMS*

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I

Distributing "raw" data among types or classes is a necessary and illuminating part of the process of research and discovery in any science, particularly in the early stages of the latter's development. But it produces fruitful results only if the types or classes make sense, which they will just to the extent that, *inter alia*, the variables we fix upon in defining them are the significant ones (for the purpose in view, of course), and that the classes (a) exhaust the phenomena under consideration, and (b) do not overlap.

One of the most elementary procedures used in dealing with the raw data of political conflict is that which, taking its departure from the notion of "party systems," seeks to assign each observed instance to one or another of three types: the "one-party system," the "two-party system," and the "multiple-party system." All party systems, it is assumed, belong as a matter of course to one of the three, so that one of the researcher's first tasks in studying the phenomena of party conflict in a given political situation is to find out with which one of the three types he is dealing. Until he has done this—so runs the tacit premise—he does not have his problem in manageable shape.

The concern of the present article is to raise and answer, with respect to this familiar table of party categories, such questions as the following: Does it, when used to deal with the phenomena of American politics,¹ produce results that are entirely satisfactory? Does it meet the tests mentioned in our opening paragraph? Is there, perchance, some fairly simple way to change it so as to permit affirmative replies to the two foregoing questions?

In the opinion of the present writers, this table of categories is open to two major criticisms. In the first place, while the variable underlying its types (how many parties in the system) seems clear enough, the dividing-line between two of them—"two-party systems" and "one-party systems"—is extremely difficult to draw, so that it is not clear, if we can imagine a one-party system that is turning into a two-party system (or vice versa), at what point it ceases to be the one and becomes the other. A glance at current usage of the term "one-

* The authors wish to thank Professor Charles S. Hyneman for his many valuable criticisms and suggestions regarding the methodology of this article.

¹ We shall have occasion to mention certain non-American party systems, but shall do so only in terms of what is generally known about them, and thus does not require supporting evidence or documentation. The empirical data with which we shall deal are all American.

party system" will, moreover, show why this is the case. V. O. Key, for example, means by "one-party system" the kind of thing we find in Mississippi.² Professors Merriam, Gosnell, and McKean, on the other hand, mean by it the kind of thing we find in the U.S.S.R.³ Evidently, however, it cannot be maintained that the Mississippi and Soviet party systems are essentially alike. Opposition candidates *can* (and sometimes do) oppose candidates of the dominant party in Mississippi. They *cannot* (and do not) in the Soviet Union. So the question arises whether any useful purpose can be served by continuing to call them both "one-party systems."

Even if we exclude the Soviet Union and the "peoples' democracies" from our purview, and confine our attention to "democratic" party systems,⁴ this kind of difficulty does not disappear. One often encounters the statement, for example, that since Republican candidates almost always win in Maine and New Hampshire and Democratic candidates in Mississippi and Georgia, all four are "one-party" states. Surely, however, there are significant differences between the kind of party conflict we find in Maine and that which we find in Mississippi, and surely lumping them together in a single category encourages us to ignore these differences—and thus fail to understand the party system of either state. In Maine, to be sure, it is a rare thing for a Democratic candidate to be elected. But it is not a rare but rather a usual thing for him to win anywhere from 30 to 49 per cent of the vote—enough (in the opinion anyhow of those concerned) to justify the continuance of an organized, working Democratic organization. In Mississippi, by contrast, the lesser party often does not even put up candidates; and the candidates it does put up poll a mere 5 to 20 per cent of the vote. Consequently the Republican party in Mississippi appears to be a mere shadow party, whose major reason for keeping itself alive is to be there to dispense national patronage when the Republican party is in control of the national government.⁵ And while "one party plus one shadow party equals one party" may be good arithmetic, "one regularly victorious party plus one regularly defeated party equals one party" is pretty clearly *not* good arithmetic.

In short, the present writers feel that the purposes of clarity would be better served if a fourth and a fifth category—one in between "one-party" and "two-party," and the other at one extreme of the spectrum—were added to take care of party systems like those of Maine and the U.S.S.R. We shall suggest such additional categories below.

² V. O. Key, Jr., *Politics, Parties and Pressure Groups*, 3rd ed. (New York, 1952), pp. 314–22.

³ Cf. Charles E. Merriam and Harold F. Gosnell, *The American Party System*, 3rd ed. (New York, 1940), p. 8; and Dayton D. McKean, *Party and Pressure Politics* (Boston, 1949), pp. 17–18. Merriam and Gosnell, to be sure, say later that such a totalitarian party system is not really a "party system," in the usual sense of that term, at all.

⁴ I.e., party systems operating within a total governmental structure that permits organized party opposition. This meaning of "democratic" party systems clearly is the one assumed by Key and other writers, and is one with which the present writers have no quarrel.

⁵ Cf. V. O. Key, Jr., *Southern Politics in State and Nation* (New York, 1949), Ch. 11.

At this point some readers may argue: "Of course the Mississippi party system is not the same kind as the Soviet party system; nor has anyone ever intended to suggest, by using the same term to apply to both, that it is the same kind of thing. The existing terminology is careless, but so what? It neither reflects nor creates confusion about the realities at stake. So why bother to add more categories, when the present ones do the job perfectly well?" Our answer is this: using the same term to apply to things that are different in *the* relevant aspect unavoidably tends—as our classroom experience has taught us—to identify these things in the minds of students, whether the users intend this or not. And, in any case, the possibility that it might have this result is reason enough for abandoning such usage in favor of more precise terminology.

The second deficiency of the current widely-accepted classification arises in connection with our general tendency to talk sometimes about *the* American party system—as if only one party system existed in the United States, namely, the "two-party" system. When, for example, the Committee on Political Parties of the American Political Science Association reports that "the two-party system is so strongly rooted in the political traditions of this country, and public preference for it is so well established that consideration of other possibilities seems entirely academic,"⁶ it is clearly doing just this.

The above usage clearly invites the retort that in Mississippi and Georgia, for example, something other than "the two-party system" is to be found receiving rather more than "academic consideration." The authors of the report can, of course, reply that they were referring to the *national* party system only, and were leaving out of account for the moment the state party systems. But if so, we should hear sometimes (as we do not) of the American party *systems*—and expect the broadest generalizations about American parties to have that term, not "*the* American party system," as their referent. We cannot justify the use of the latter phrase, be it noted, by saying that the national party system is far more "important" than the state party systems, since the literature here in question often reminds us that state and local party organizations are far more powerful than the national organizations,⁷ and that all national elected officials are elected from *state* constituencies (the President, of course, in a somewhat different fashion than senators and representatives). The correct statement would appear to be that our national "two-party system" is made up of

⁶ "Toward a More Responsible Two-party System," this REVIEW, Vol. 44 (Sept., 1950, Supplement), p. 18. Cf. Merriam and Gosnell: "One of the outstanding characteristics of the American party system is that it is a two party system . . ." *Op. cit.*, p. 2; or Bone: ". . . a . . . conspicuous feature . . . of the American party system is its biparty nature." Hugh Bone, *American Politics and the Party System* (New York, 1949), p. 356. Professor Schattschneider speaks somewhat more cautiously of *the* American two-party system: ". . . American politics is *dominated* and *distinguished* by the two-party system. . . . The two-party system is *the most conspicuous feature* of American political organization." E. E. Schattschneider, *Party Government* (New York, 1942), pp. 66–67, emphasis added.

⁷ Cf. Schattschneider, pp. 162–65; and Key, *Politics, Parties and Pressure Groups*, Ch. 11.

electoral contests within the 48 state party systems, by no means all of which can accurately be called "two-party." And it follows from this statement—far more complex than the statements about the system that we normally hear—that the existing table of categories, because of its lack of precision, has encouraged us in careless habits of thought and description.

The present article has two purposes: First, to propose a method for classifying party systems that avoids some at least of the difficulties the method now used gets us into; and second, by way of illustrating the method's possible usefulness, to place each of the 48 state party systems and the national party system in the category in which it belongs.

II

The present method of classifying a given party system involves deciding whether it is a two-party or multiple-party or one-party system, which in turn is a matter of fixing attention on the past behavior of the voters involved in it. The classifier asks in effect: Have most of these voters voted in the past for one party? If not, which of two things have they done—divided their votes between two parties, or distributed them among several parties? The tacit premise of this method is that the voters continue to behave, i.e., are now behaving, as they have in the past, and will continue to do so for some time at least in the future. The statement that a particular system is a two-party system, that is to say, is a statement both that voters have so behaved in the past that neither party could be said to have a cinch on winning, and that now and in the future either party, other things being equal, has a reasonably good chance to win further elections. In short, our estimate of the chances of any party, major or minor, in any given future election is—again, other things being equal—an extrapolation based on the statistics of its successes and failures in past elections.⁸

These criteria seem both meaningful and useful to the present writers; and we suggest that, on the basis of such data, there appear to be *five*—not three—possible types of party systems, of which four are democratic or non-totalitarian:

1. *The multiple-party type.* To this type belongs any system in which at most elections in the fairly recent past (a) three or more parties have shared the bulk of the votes and public offices, and (b) no single party has won a majority of either votes or offices (so that most governments have been coalition or "fusion" governments).

⁸ One of the clearest examples of the dependence of present expectations upon past election results in classifying party systems was given by Professor Lipson in a recent issue of this REVIEW. He stated that the following conditions must be present if a party system is to be called "two-party": "(1) Not more than two parties at any given time have a genuine chance to gain power. (2) One of these is able to win the requisite majority and stay in office without help from a third party. (3) Over a number of decades two parties alternate in power." "The Two-party System in British Politics," this REVIEW, Vol. 47, pp. 337-58, at p. 338 (June, 1953). Clearly, the expectations involved in Lipson's (1) depend upon the observations of past voting behavior which support his (2) and (3). See also the definitions, explicit and implicit, of "the" American two-party system in the works cited in footnotes 3, 4, and 7, above.

2. *The two-party type.* To this type belongs any system in which at most elections in the fairly recent past (a) two parties have shared the bulk of the votes and public offices between them, (b) the winning party has gained a majority of the votes and offices, and (c) the two dominant parties have alternated in winning majorities.

3. *The modified one-party type.* To this type belongs any system in which at most elections in the recent past (a) one party has won all or almost all the offices, but (b) the second party, though it has seldom won any offices, has normally received a substantial percentage of the votes and thus constitutes a significant center of organized party opposition.

4. *The one-party type.* To this type belongs any system in which at most elections in the recent past (a) one party has won all or nearly all of the offices, and (b) the second party has usually received only a small percentage of the popular votes.

5. *The totalitarian one-party type.* To this type belongs any system in which either (a) only one party has been permitted to participate in elections in the recent past, or (b) any parties other than the dominant single party that have participated are clearly "fronts" for the dominant party.

These criteria are, of course, stated in very general terms. They do not, by themselves, indicate *how many times* power must change hands between two parties in order that "alternation in power" can be said to have taken place, or *how long a period* constitutes the "fairly recent past," or *how large a percentage* of the popular votes may fairly be regarded as "substantial." Thus meaningful application of these necessarily general criteria to any given party situation would require the political scientist to study past election results, see if the various percentages of victories and shares of the popular votes fall into clusters, and, if so, select the dividing-lines between the clusters as the dividing-lines—in that specific situation *only*—between his categories.⁹ That is what the present writers have attempted to do in their classification of 49 American party systems, the results of which appear below.

III

One familiar kind of data used in classifying the American national party system as a two-party system is the distribution of popular votes in presidential elections.¹⁰ The graphs and tables in which these data are presented show that in the 22 presidential elections since the Civil War, the Republicans have won 13 times and the Democrats nine. They further show that in only three elections have third parties received over 10 per cent of the popular vote,¹¹ and that

⁹ See, for example, the process by which the present writers arrived at the dividing-line between the "two-party" states and the other states in Table I, below. The specific dividing-line employed in that table would very likely be inappropriate for a classification of, say, the provincial party systems of Canada. The *process* for determining the dividing-line—as opposed to the specific location of the line itself—should be equally applicable to Canadian and American party systems.

¹⁰ See, for example, the graph in Key, *Politics, Parties and Pressure Groups*, p. 225.

¹¹ 1892—Weaver (Populist), 11 per cent; 1912—Roosevelt (Progressive), 27.5 per cent; and 1924—LaFollette (Progressive), 16.6 per cent.

in only four elections have third-party candidates received any electoral votes.¹²

A less familiar kind of data is the distribution of party strength in Congress. Here the figures reveal that in the 44 Congresses since the Civil War, the Republicans have controlled the Senate 29 times (to the Democrats' 15 times) and the House of Representatives 24 times (to the Democrats' 20 times).¹³ On the basis of both kinds of data, then, the national party system is clearly of the two-party type.

IV

In classifying the 48 state party systems, the first step was to compile the results of all elections since 1914 in each of the states for three offices—President of the United States, United States senator, and governor.¹⁴ Next, the percent-

TABLE I. THE TWO-PARTY STATES

State	Total of All Elections			Per Cent of Second-Party Wins
	Rep. Wins	Dem. Wins	3-P Wins	
Arizona	12	32	0	27.2
California	22	11	1	35.3
Colorado	22	21	0	48.8
Connecticut	31	15	0	32.6
Delaware	22	11	0	33.3
Idaho	26	18	0	40.9
Illinois	21	14	0	40.0
Indiana	21	13	0	38.2
Maryland	11	23	0	32.3
Massachusetts	24	19	0	44.2
Michigan	30	13	0	30.2
Minnesota	28	7	8	34.8
Missouri	13	22	0	37.1
Montana	9	24	0	27.2
Nebraska	30	13	1	31.8
Nevada	11	25	0	30.5
New Jersey	24	13	0	35.1
New Mexico	14	29	0	32.5
New York	17	23	0	42.5
Ohio	23	22	0	48.8
Rhode Island	17	26	0	39.5
Utah	13	21	0	38.2
Washington	15	19	0	44.1
West Virginia	12	21	0	36.3
Wisconsin	31	7	6	29.3
Wyoming	15	20	0	42.8

¹² 1892—Weaver (Populist), 22; 1912—Roosevelt (Progressive), 88; 1924—LaFollette (Progressive), 13; 1948—Thurmond (States' Rights), 39.

¹³ Cf. the graphs in Louis Bean, *How to Predict Elections* (New York, 1948), pp. 15, 19.

¹⁴ The raw data for Table I and the subsequent tables were drawn from the *World Almanac* (published by the New York *World-Telegram and Sun*), various issues from 1915

ages of victories in all elections for the second party¹⁵ in each state were determined and placed along a scale from the lowest (0 per cent) to the highest (48.8 per cent). The authors then observed that the longest gap in the scale was that which occurred between 22.8 per cent and 27.2 per cent, and that the 48 percentages appeared to fall into two main groups or "clusters": those from 0 per cent to 22.8 per cent, and those from 27.2 per cent to 48.8 per cent. We therefore fixed 25 per cent as the dividing-line between the "one-party" and "two-party" categories, classifying as "two-party states" all those in which the second party had won more than 25 per cent of the elections studied. The states which met the relevant tests are shown in Table I.

TABLE II. THE MODIFIED ONE-PARTY STATES

State	Total of All Elections			Per Cent of Second- Party Wins	Per Cent of Elections	Per Cent of Elections
	Rep. Wins	Dem. Wins	3-P Wins		with Second- Party Vote Over 30%	with Second- Party Vote Over 40%
Iowa	34	10	0	22.7	88.6	70.4
Kansas	36	7	0	16.2	97.6	67.4
Kentucky	8	27	0	22.8	100.0	94.2
Maine	40	3	0	7.0	90.6	53.4
New Hampshire	37	6	0	14.0	100.0	86.0
North Carolina	1	33	0	3.0	79.4	30.0
North Dakota	36	8	0	18.1	75.0	59.0
Oklahoma	6	27	0	18.1	93.9	75.7
Oregon	26	7	1	23.5	88.1	55.8
Pennsylvania	28	7	0	20.0	91.4	65.7
South Dakota	34	9	0	21.0	97.6	72.0
Tennessee	4	40	0	9.0	72.6	34.0

The next question was: in how many of the 22 states in which the second party has won less than 25 per cent of all elections has the second party nevertheless usually won a "substantial percentage" of the votes? The data indicated that significant breaking-points occur at 30 per cent and at 40 per cent of the popular vote, which made it seem advisable to define "modified one-party

to 1953. The period chosen for studying election results is from 1914 to 1952, and was selected for two reasons: It eliminates most of the effects of the 1912 split in the Republican party—an abnormal and temporary situation; and it provides a period of four decades, which, in the opinion of the authors, is a long enough period to indicate trends. The three offices were chosen partly because of the ready availability of statistics about them, and partly because in many states they are the only offices for which *all* the voters of the state vote.

¹⁵ In those states in which third-party or independent candidates (both listed in the tables as "3-P") won at least one election (Alabama, California, Florida, Louisiana, Minnesota, Mississippi, Nebraska, Oregon, South Carolina, and Wisconsin), their victories were added to the second-parties' victories to show "total-opposition" percentages.

TABLE III. THE ONE-PARTY STATES

State	Total of All Elections			Per Cent of Second- Party Wins	Per Cent of Elections with Second- Party Vote Over 30%	Per Cent of Elections with Second- Party Vote Over 40%
	Rep. Wins	Dem. Wins	3-P Wins			
Alabama	0	32	1	3.0	18.1	6.0
Arkansas	0	43	0	0.0	13.9	2.3
Florida	2	32	1	8.6	19.9	5.7
Georgia	0	44	0	0.0	4.4	2.2
Louisiana	0	32	1	3.0	6.9	4.6
Mississippi	0	32	1	3.0	6.0	3.0
South Carolina	0	32	1	3.0	6.0	6.0
Texas	2	41	0	4.6	16.2	6.9
Vermont	44	0	0	0.0	54.4	18.1
Virginia	2	34	0	5.5	41.6	11.1

states" as those in which the second party, while winning less than 25 per cent of all elections, has won over 30 per cent of the vote in over 70 per cent of all elections and has won over 40 per cent of the vote in over 30 per cent of all elections. By the same token, "one-party states" are defined as those in which the second party has won less than 25 per cent of all elections, and has also won over 30 per cent of the vote in less than 70 per cent of all elections and has won over 40 per cent of the vote in less than 30 per cent of all elections. The states falling in these two categories are shown in Tables II and III.

Finally, a political map of the American state party systems, based upon the foregoing data and interpretations, is shown in Figure 1.

V

One important question that arises from the foregoing analysis is whether the familiar one-party-two-party table of categories, however sharpened and refined, is a useful tool of analysis. Certainly it is a rough classifying device at best. There are, for example, many and important differences among the party systems of such states as Ohio, Rhode Island, West Virginia, New Mexico, and Washington—yet they are all lumped together in our classification as "two-party" states. If such disparate party systems can all be called "two-party," one may well ask, does locating a party system in such a loose category tell us anything important about the nature of party conflict in that system?

This question can be answered, the present writers believe, only by a detailed examination of each of the state party systems in each of our three categories, and a careful comparison of each system with the others in its particular category. V. O. Key's *Southern Politics in State and Nation* and Alexander Heard's *A Two-Party South?* are among the few attempts at such analysis and comparison; and both works suggest that, despite the many differences in party conflict among the various Southern states, there are important similarities among the

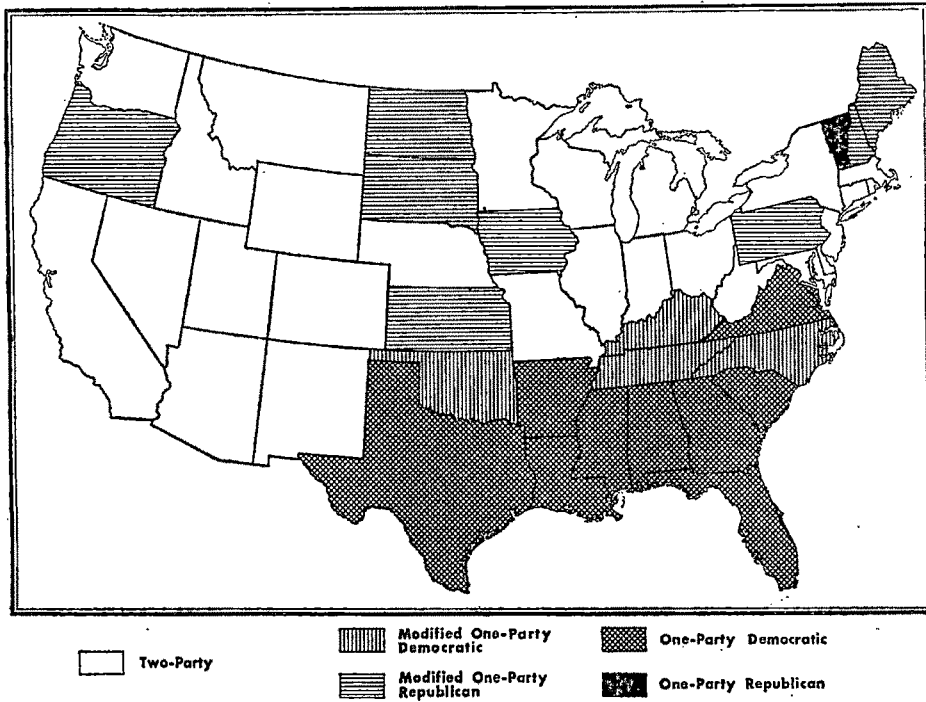


FIG. 1. The State Party Systems.

states we have classified as one-party states on the one hand and among those we have classified as modified one-party states on the other hand.¹⁶ This, in turn, suggests to us that the same kind of careful analysis and comparison of the two-party states might reveal significant similarities among the party systems in those states.

In any case, the purpose of the present essay has been to suggest improvements in the present, widely-accepted method of organizing and categorizing data about party conflict. A clearer answer to the question, what *are* "one-party" and "two-party" systems, is not an answer to the further and more important question, what does it matter? It can, however, provide the starting-point for finding a satisfactory answer to the latter question.

¹⁶ Cf. Key, *Southern Politics in State and Nation*, Chs. 4, 10; and Heard, *A Two-Party South?* (Chapel Hill, N. C., 1952), p. 98.

AGE AS A FACTOR IN THE RECRUITMENT OF COMMUNIST LEADERSHIP*

ROBERT T. HOLT

One of the keys to an understanding of the Communist movement is a knowledge of the nature of its leadership. The idea of the professional conspiratorial elite is one of the unique Russian contributions to Communist dogma and practice. After the professional revolutionaries in Russia had successfully engineered the Bolshevik Revolution, they became models for the leaders of the new Communist parties that were established in the West. Scholars and statesmen alike have had cause to mention some of their unique qualities—their uncompromising discipline, their complete and intransigent dedication to their cause, their ruthlessness and capacity for self-sacrifice. In this paper an attempt will be made to develop and investigate hypotheses about some of the characteristics of those who have attained positions of high leadership in the Communist parties in Italy and France. Some information on the leaders of the party in the United States has been included for purposes of comparison. It is impossible in this study, of course, to attack the problem from the point of view of the motivations and personality structures that differentiate the Communist leaders from those lower in the hierarchy. Togliatti, Thorez, and their comrades are obviously not available for the sort of probing that would be necessary for this type of analysis. And in addition to the normal hazards involved in using detailed biographical and autobiographical sources for such an analysis, this material is too limited, too unrepresentative, and too propagandistic to be of much value.¹ However, it was felt that a useful analysis could be made and certain hypotheses tested by the use of purely “external” indices constructed from material available to Western researchers.

The Communist party, like other groups that seek supreme allegiance from their adherents, seems to make a special effort to recruit members from among young people. Some hypothetical reasons for this tactic come immediately to mind. The type of loyalty that it demands from its militants is perhaps best obtained from individuals who become associated with it while still young. The process of assimilation, particularly when it involves some negation of the dominant values of the society, can be completed most satisfactorily if it is be-

* The research for this paper was done under the direction of Gabriel A. Almond as part of a course in the graduate division of the Woodrow Wilson School of Public and International Affairs and as one phase of the “Appeals of Communism” project conducted in the Center of International Studies, Princeton University. Some of the hypotheses investigated concerning the characteristics of party leadership were suggested by Theodore Draper, who acted as a project consultant.

¹ For an example of the autobiographical material that does exist, see Maurice Thorez, *Fils du Peuple* (Paris, 1949). An English translation of an earlier edition appears under the title, *Son of the People*, trans. Douglas Garman (New York, 1939). Also see Mario Montagnana, *Ricordi di un Operaio Torinese*, Vol. 1, *Sotto La Guida di Gramsci*, Vol. II, *Sotto La Guida di Togliatti* (Rome, 1949).

gun before these values have become firmly entrenched or a whole host of other obligations and duties assumed.

For two main reasons it seems logical to suppose that the leaders of the party would generally tend to become associated with it at earlier ages than the rank and file. First, the party tends to recruit its leadership internally, i.e., it is a "closed bureaucracy."² Thus, those who join the earliest have the best opportunity to move to the top. The second reason is that the demands the party places upon its leaders are severe, the allegiance required much greater than from the rank and file. It seems likely that this type of devotion is more easily commanded from people who join and become assimilated into the movement while still young.

These considerations led us to formulate two hypotheses about the role of age in the recruitment of the Communist party leadership. The first is that the leaders of the party joined the party or became involved in other radical movements at early ages. The second is that they quickly became functionaries in the party and thus while still young were a part of its militant cadre.

The study is based on a quantitative analysis of the Communist party leadership in Italy, France, and the United States. The samples for Italy and France are made up of all the regular members of the Central Committee of the Communist party.³ Because of the fact that the National Committee (central committee) of the party in the United States has only twelve members, an additional thirty-six leaders have been included in the sample.⁴

The central committees have been chosen as representative of the leadership

² "Closed bureaucracy," as the term is used in this study, refers to a bureaucracy in which the leadership is recruited from the ranks. By and large this type of bureaucracy is found in organizations existing largely for ideological purposes, for example, churches and some political parties. These organizations can be contrasted with business enterprises which at times recruit even top leaders from outside their own ranks.

³ The Italian Central Committee used in this analysis has seventy-two members and was elected at the close of the Seventh Congress of the Italian Communist party held in Rome, April 3-8, 1951. *L'Unità* (Rome), the official organ of the Italian party, carried the names of the new members of the Committee along with short biographical sketches on April 10, 1951. The *Parti Communiste Français* elected the Central Committee used in this sample at its Twelfth Congress, which met in Paris during the first week of April, 1950. The Committee consists of thirty-nine members whose names were reported in the party's organ, *L'Humanité* (Paris), on April 7, 1950. The major change in the composition of the French Central Committee since 1950 has been the removal of André Marty and Charles Tillon.

⁴ The National Committee included in this sample was elected at the National Convention of the Communist Party of the United States held in late December, 1950. The names of the Committee members were obtained from *Political Affairs*, the theoretical magazine of the party, January, 1951. All but William Z. Foster and Elizabeth G. Flynn were among those tried under the Smith Act for conspiring to overthrow the government by force, found guilty, and given prison terms in 1949 (the so-called "trial of the eleven"). Elizabeth G. Flynn was tried in a later trial. The additional thirty-six included in the sample are among those who have been arrested in various parts of the country for violation of the Smith Act. Nine of this additional thirty-six are alternate members of the National Committee, and many have at one time or another served on it.

for several reasons. They are, formally, the highest governing bodies of the party. They comprise all the top leadership including, of course, the secretary-general, the secretariat, and the whole of the politburo (or its equivalent). The other members, although nominally elected at the party Congresses, are, in effect, chosen by the politburo and thus elevated to the select circle of central committee membership only after careful examination by the highest level leadership of the respective countries. In Italy and France the committee also contains most of the regional leaders of the party, and thus geographical distribution is assured.

The Communist party has been known to attempt to enhance the prestige of its organization by putting into supposedly high positions important men who, although formally party leaders, do not have any significant policy or administrative function and cannot be considered as really part of the top leadership. Certainly, it could be argued that some of the members of the central committees, particularly in Italy, are little more than "window dressing." It is believed, however, that this problem is not serious; it would be worse if the sample had consisted of some other group of high echelon Communists of sufficient size—for instance, the Communist members of the French and Italian parliaments.

Excluded from the sample, of course, are those leaders of the underground, clandestine segments of the party who perhaps are not even known to the party leaders, let alone to Western observers.

The central committees have been chosen, in part, in order to get some kind of qualitative comparability among the men selected from the different countries. But this effort to get qualitative comparability has in itself introduced some bias. The Italian Central Committee included seventy-two members, whereas the French had only thirty-nine; the American sample included forty-eight leaders. Whenever reference is made to total figures, the weight of the Italian sample must be taken into consideration.

Another major difficulty was the lack of accurate information. Perhaps rather surprisingly, information on the Italians was the most accessible.⁵ This is largely due to two factors. First, during the Fascist period in Italy the police kept elaborate dossiers on many of the men who are now on the Central Committee, and some of this information has found its way into print. Secondly, many of the members of the Central Committee are in the Parliament or have run for public office. Information on them is available in the regular biographical sketches of the members of the Chamber of Deputies and in election propaganda booklets put out by the party.

⁵ In addition to the issue of *L'Unità* cited above, the major sources of information on the Italian Communists were: (1) *Albo Biografico dei Deputati e Senatori Comunisti e Socialisti* (Rome, 1948); (2) *Il Parlamento Della Repubblica Italiana nella Prima Legislatura Costituzione Funzionamento Biografie Dati Statistici*, Supplement to *Chi E* (Rome, n.d.); (3) *Chi E* (Rome, 1948); (4) a number of propaganda pamphlets put out by the Communists for the general election in 1948. An effort was made to double-check all information, particularly when the prime source was a Communist publication.

As would be expected, detailed information was available on most of the members of the American National Committee. However, little has been found on the early lives of the additional thirty-six that have been included in the sample.⁶

Information on the French leaders was more difficult to obtain.⁷ An aura of myth and mystery surrounds some of the members of the French Central Committee, and as a result it is extremely difficult to separate fact from fantasy, particularly in the early lives and backgrounds of the leaders. And even when fantasy is identified and thrown out, it is sometimes impossible to uncover facts to fill the void. For example, André Marty was billed as the great hero of the Black Sea mutiny in the French fleet and thus as one of the enlightened few who early envisioned the Soviet Union as the leader of the working classes of the world. But there is some doubt as to whether Marty played the role ascribed to him. Some observers assert that he was not even there at the time. However, it seems impossible from this side of the Atlantic to check the Communist propaganda on this matter. In addition to these myths that may distort the material on the French leaders, it was found that for fourteen of the thirty-nine little information is available.

Some comments on the social background of the leaders are also in order here. The members of the central committees have been recruited from all segments of their societies. A study of their careers and of the occupational status of their parents shows, however, that a large plurality—about forty per cent—come from a working-class background. In the Italian and French samples, men with professional backgrounds are represented in greater proportions than might be expected. Almost one-quarter of the European leaders came from professional occupations. In Italy this includes such prominent figures as Terracini and Togliatti. In France Cachin and Casanova fit into this category. It is also significant that certain groups are under-represented. Only a few of these men were ever small businessmen, entrepreneurs, or independent peasants, or were sons of men engaged in these occupations. But while the occupational groups that formed the core of the classical bourgeois middle class are relatively absent, a significant minority come from the middle-class, white-collar groups—the clerks, accountants, draftsmen, etc.—that are the products of an industrial civilization.

An examination of the social background of these individuals raises some questions about an often-assumed characteristic of members of the Communist

⁶ Major sources included: (1) United States Court of Appeals for the Second Circuit, *The United States of America, Appellee, v. Eugene Dennis, et al., Defendants-Appellants, Joint Appendix* (New York, n.d.); (2) a number of hearings and reports of the House Committee on Un-American Activities, 1938-1951; (3) a series of press releases from the Department of Justice containing biographical information on the Communists arrested in the United States under the Smith Act.

⁷ Major sources included: (1) *Dictionnaire Biographique Français Contemporain* (Paris, 1950); (2) *Conseil de la République, Notice et Portraits* (Paris, 1947); (3) numerous issues of *L'Humanité* and other Communist publications in which biographical notes on individual Communists were found.

party. It is commonly believed that the party is composed of disgruntled, downwardly mobile individuals who are suffering from a loss or prospective loss of prestige and are venting the resulting hostility on society by revolutionary activity. If this were true, a comparison of the occupations of the Communist leaders with those of their fathers should tend to show an increase in those occupations which are lacking in social prestige. However, the percentage that could be considered on the basis of occupation as belonging to the lower classes remained constant between generations. On the other hand, there was a noticeable increase in those occupations generally considered to carry with them social prestige. (The latter statements may appear paradoxical; actually the increase mentioned can occur even with the constant percentage of lower-class membership because information on the occupations of fathers was less complete than on the leaders themselves.) Thus, whereas twenty-one per cent of the central committee members had a professional background, only nine per cent of their fathers would fit into this category. The amount of education the leadership had also does not seem to indicate downward mobility. Over one-third has had some university training. As would be expected, more Americans than Europeans have had the benefits of a university education, but twenty-two per cent of the Italians, for example, are college graduates and another six per cent have had some college education.⁸ The data on mobility are fragmentary. But on the basis of a study of the variables of education and occupation, there is reason to investigate new hypotheses on the motivations that are related to joining the Communist party.

The first hypothesis had originally been formulated in terms of early membership in the party. However, since a large minority of the sample were born in the nineteenth century, it would have been impossible for them to have joined while they were still young an organization not formed until 1920 or 1921. The reformulation of the hypothesis to include participation in radical activity at an early age was based on an assumption that the social and psychological implications of association with syndicalist, anarchist, socialist, and communist groups in the first decades of the century were similar.

The first hypothesis stating that the leaders joined the party or participated in radical activity at an early age is supported rather conclusively by the figures in Table I. They indicate that fifty-one per cent were engaged in radical activity by the age of eighteen; seventy-three per cent by the age of twenty-two. It is equally important to note that only nine per cent became involved in radical activity after the age of twenty-two. A breakdown by country reveals that the

⁸ The intellectuals in the party leadership actually show signs of being upwardly mobile. A number of these came from working class backgrounds or from that amorphous border area between the working class and the bourgeoisie which is occupied by what has been appropriately called the "lumpen bourgeoisie." This point is mentioned because it is one way in which the Communist leadership seems to differ significantly from the Nazi leadership. Daniel Lerner concludes that the intellectuals in the Nazi movement were faced with a decline in status when they joined that party and implies that joining the party was one manner of coping with this prospective loss of prestige. See Daniel Lerner, *The Nazi Elite* (Stanford, 1951), p. 83.

TABLE I. AGE AT TIME OF FIRST RADICAL ACTIVITY

	Italy n = 72	France n = 39	Total n = 111
Before 16	37%	23%	32%
16-18	26	5	19
19-22	21	21	22
23-26	2	5	4
27-30	—	8	3
Over 30	1	2	2
No information	11	36	20

Italian leaders became involved in radical activity at earlier ages than the French—eighty-four per cent by the age of twenty-two years. The table shows that only forty-nine per cent of the French had participated in radical activity by this time, but this relatively low figure is related to the fact that there is no information available on thirty-six per cent of the French leaders. If those on whom there is no information available are dropped from the total and the percentage figure is re-calculated, we find that seventy-six per cent of the French leaders were involved in radical activity by the age of twenty-two.⁹

This hypothesis can also be supported by an examination of the ages at which those central committee members who were born in the twentieth century joined the party. This manner of testing the hypothesis, although based on a limited portion of the sample, has two advantages. First, it provides some data on age of actual adherence to the party and, secondly, it enables us to include the American leaders in the calculations. Two-thirds of the sample were born in the twentieth century. Sixty-two per cent of this group had joined the party by the age of twenty-one. If this figure is adjusted to include only those on whom there is information, it becomes seventy-five per cent. The Italian leaders are the youngest joiners; ninety-two per cent of those born after 1899 had joined the party by the age of twenty-one. The French figures are again distorted by the large number on whom information is not available, but of those born after 1899 on whom there is information, eighty-eight per cent had joined the party by the age of twenty-one. The data on the American Communists show a similar, though not as extreme a pattern as the European. Fifty-six per cent of those born in the twentieth century on whom there is information had entered the party by the age of twenty-one. The figures on the actual members

⁹ In a number of cases in the analysis where the "no information" category is particularly large, it was felt that a more accurate interpretation of the data could be given by using percentage figures computed on the basis of those on whom information was available. A manipulation of the figures in this manner assumes that the distribution of the variable among those on whom there is no information is the same as among those on whom information is available. In certain instances this seems to be a reasonable assumption to make, e.g., in regard to age at time of first radical activity. However, at other times it is believed that the very reason information is not available is related to the particular distribution of the variable.

of the National Committee show that of those born after 1899 all but Ben Davis, that is, nine out of ten, had joined the party by the age of twenty-two. A majority joined while still in their teens.

There is an interesting trend among the Europeans who deviate from this predominant pattern of early participation in radical activity. There are twenty-two individuals who could be included in this group. A majority of these come from middle- or upper-class families. Since these are minority characteristics, it might be tentatively concluded that those Communist leaders who participate in radical activity later than is normal typically come from middle- or upper-class backgrounds. This would seem logical on the basis of what is known about the tendency of youth from working-class backgrounds to "mature" earlier than those from groups higher on the social ladder because of earlier separation from families and the necessity to "get along on their own" sooner. However, this is another manner in which the Communist leadership differs from the Nazi. It can be inferred from Lerner's study that Nazi leaders from middle- and upper-class backgrounds tended to join the party at younger ages than others.¹⁰

The above calculations indicate that the leaders joined the party or participated in radical activity at an early age, but one could legitimately raise the question whether the party leadership can be distinguished from the rank and file on the basis of this criterion. That question cannot be answered from the data thus far analyzed, but there is some evidence to suggest that the leadership of the party became members at significantly earlier ages than the rank and file. Table II is adapted from the forthcoming work by Almond and others entitled

TABLE II. AGE AT TIME OF FIRST RADICAL ACTIVITY FOR
FORMER PARTY MEMBERS*

	Rank and File n = 97	Low Echelon n = 73	High Echelon n = 51
Before 16	12%	23%	31%
16-18	27	32	29
19-22	28	21	24
23 and over	33	21	16
No information	—	4	—

* The group of former party members includes some 225 cases collected from Italy, France, Great Britain, and the United States.

The Appeals of Communism. It indicates that among a group of former party members interviewed in several Western countries, sixty per cent of those who reached high echelon status in the party and only thirty-nine per cent of the rank and file participated in radical activity before they were nineteen years old. Just as important is the fact that although thirty-three per cent of the

¹⁰ *The Nazi Elite* (cited in note 8), pp. 10-12, 16-23.

rank and file ex-Communists participated in their first radical activity after the age of twenty-three, only sixteen per cent of the high echelon ex-Communists did so after this age. Almond's figures on high echelon ex-Communists are comparable to our figures on members of the central committees. His figures show that eighty per cent of the ex-Communists who reach high echelon status engaged in radical activity before the age of twenty-two. The comparable figure for our sample is eighty-nine per cent.

The second working hypothesis of the study is that the leaders of the party rose quickly out of the rank and file and while they were still young moved into positions in the party that occupied most of their waking hours. Table III gives the time lapse between joining the party and devoting full time or nearly full time to party work.¹¹ It indicates that the party leadership moved up in the

TABLE III. TIME BETWEEN JOINING COMMUNIST PARTY
AND BECOMING PARTY FUNCTIONARY

	Italy n = 72	France n = 39	U.S. n = 12	Total n = 123
One year	57%	28%	8%	43%
Two years	11	13	25	13
Three years	4	8	33	8
Four years	3	5	—	3
Five years	4	5	8	5
Six years	4	3	—	3
No information	17	39	33	24

party rapidly and that the leaders became functionaries at early ages. Fifty-six per cent were functionaries within two years of joining. If the unknowns are excluded, the figure is seventy-four per cent. Within three years eighty-five per cent had become functionaries—if the figure is computed on the basis of those on whom there is information. In interpreting these figures, it must be remembered that a number of the leaders joined the party at the ages of fourteen, fifteen, and sixteen. These make up a large majority of those who became functionaries only after five or six years of party membership. For these early joiners, it would be possible to be in the party for six years before becoming a functionary and yet be one at the age of twenty or twenty-one.

The Italians have the largest percentage in the one-year category. This can be explained in part by the fact that a high percentage of the present leaders of the Italian party joined in 1921, the year of its inception. Many were delegates to the Livorno conference in 1921, and although this was not considered *prima*

¹¹ Because of the fact that it is being used as a index of recognition and acceptance of party goals, a loose concept of functionary has been employed, and the unique aspects of the party in the various countries demand that different criteria be established to determine functionary status in the several parties. For instance, in Italy during the period of fascism an exile ordered by the party qualified a man as a functionary. Participation in the Spanish Civil War as a Communist was also included in the definition of functionary.

facie evidence of being a functionary, many did receive official positions at that time.

The French figures show much the same pattern as the Italian. If those on whom there is no information are dropped out of the totals, over forty-five per cent of the French leaders fall into the one-year category. The American figures were computed only on the actual members of the National Committee. The explanation of the greater time lapse between joining the party and becoming a functionary in the case of the Americans is that only two of these men were among the founders of the party, and that most of the others joined the party at very young ages.

The assumption of functionary status can also be interpreted as indicative of relatively total commitment to the Communist party. By total commitment we mean the acceptance of and adherence to the stated and implicit goals of the party, the internalization of its value system, and complete devotion to the party in both thought and action. There was a significant number of instances in the lives of those leaders on whom information is relatively complete of the sudden and irrevocable dropping of a friend, wife, or lover at the momentary notice of the party. This was interpreted as indicative of total commitment, but since such data are accessible for only a few leaders, they are not presented quantitatively. The Communist party does not recognize a division of loyalties. It arrogates complete devotion to itself. Before a man is raised to functionary status, the party feels confident of his undying devotion, and the man himself recognizes at least to some degree the demands of leadership.

There is, however, one very good quantitative index which demonstrates commitment to the goals of the Communist party. It was assumed that one of the most reliable indicators of commitment is willingness to hold to one's beliefs and convictions in face of severe deprivation or threats of deprivation. Tables IV and V give some basis for determining this for the European leaders. Table IV reveals that almost eighty per cent of the members of the central committees in Italy and France have spent some time in prison or exile because of their political beliefs or actions based thereon.¹² The Communist party in Italy grew up in the face of totalitarian fascism, and the high percentage who were in prison or exile is, of course, a reflection of the strong coercive action

TABLE IV. NUMBER OF CENTRAL COMMITTEE MEMBERS WHO HAVE SERVED PRISON TERMS OR BEEN IN EXILE

	Italy n = 72	France n = 39	Total n = 111
Prison or exile	88%	64%	79%
No exile	10	3	7
No information	3	32	13

¹² Because of the fact that arrest for Communist activity was one of the main criteria for selecting the American members, information on them was not included in Tables IV and V.

TABLE V. AGE AT TIME OF FIRST PRISON SENTENCE OR DEPORTATION

	Italy n = 49	France n = 25
Before 21	10%	—%
21-23	28	4
24-26	16	4
27-29	12	—
28-30	5	28
Over 30	28	64

taken by the state to suppress the party, particularly after 1925. Some of the Italian leaders served long prison terms; except for a short interim in 1937, Terracini was in prison from 1926 to 1943; Togliatti lived eighteen years in exile. These figures give some idea of the implications of Communist membership and of the intensity of conviction demanded of the leadership.

The figures on the French leaders have to be interpreted in a slightly different manner. A large majority of those who served prison terms or suffered exile were arrested in 1939 when the Communist party was declared an illegal, subversive organization and was dissolved. Many of the leaders were arrested at that time; some were imprisoned, others exiled, some (e.g., Thorez) sentenced to death. The almost sixty-five per cent who were imprisoned or exiled represents in quantitative terms what adherence to the Nazi-Soviet pact meant to the French Communist leaders.

The data in Table V give us little valuable information on the French leaders; they merely reveal that a majority of the arrests took place in 1939 when most of the leadership was over thirty years old. But for the Italians they do provide another index on age at time of total commitment to the goals of the party. The total of forty-nine includes only those who were imprisoned or confined for at least one year as a result of Communist activity. For many, this occurred only after the second or third arrest; for others, it came after return from voluntary exile which was originally undertaken to escape arrest. It is felt that this indicator of "total commitment" is a very reliable one because there is complete recognition of the severe consequences of Communist activity. It should also be pointed out that it is extremely conservative; the data in Table V show age of "total commitment," but certainly not *earliest* age of "total commitment." Thirty-nine per cent of the Italians who served prison sentences were sentenced before they were twenty-four years old; fifty-five per cent before they were twenty-seven.¹³

¹³ For empirical data on the Russian revolutionary leaders similar to that presented above, see Jerome Davis, "A Study of 163 Outstanding Communist Leaders," *American Sociological Society Papers*, Vol. 24, pp. 42-55 (1930) and George K. Schueller, *The Politburo* (Stanford, 1951). The Russian leaders of the revolution showed many of the characteristics here reported on Western leaders. For instance, Davis reports that over three-quarters of his sample had engaged in radical activity by the age of twenty-one. For information on the Nazi leaders see Lerner, *The Nazi Elite* (cited in note 8).

On the basis of the information available, it can be shown that the Italian leaders have an amazing record of early commitment to the goals of the Communist party. Some of the cases are almost unbelievable. Giancarlo Pajetta, at the present time a member of the Directorate (Politburo), comes from a middle-class but radical background—his father was a lawyer and both his parents were Communists. At the age of fourteen he joined the young Communists, and soon became a member of the provincial committee of the Communist youth in Turin. Two years later, in 1927, he was expelled from the *liceo* and denied access to any other school in Italy because of his membership in an anti-fascist organization. At the age of sixteen he became the youngest person ever tried before the Special Tribunals, the Star Chambers of Italian Fascism, and was sentenced to two years' imprisonment. After his release from prison, he immediately began to organize clandestine Communist groups in Turin. By 1931 the police were again hot on his trail and the Directorate of the Italian party ordered him to leave Italy. After working actively in the international Communist youth movement, he was recalled to Italy in 1933. Immediately he was arrested and sent to prison for twenty-one years. This case is exceptional, to be sure, but it does give some kind of indication of the type of men that make up the Communist leadership. Pajetta had served a prison term because of his political beliefs and activity by the time he was sixteen; by the time he was twenty-two he had been forced to leave his native land, had been a member of the executive committee of the Communist youth in Moscow, and had begun to serve a twenty-one year prison sentence for Communist activity.

What conclusions can be drawn and what further hypotheses developed from the data on age at various points in the process of assimilation into the Communist movement? First of all, the two hypotheses are supported by the data. The Communist leadership did participate in radical activity at early ages and also, when possible, joined the party while still young. Most typically, these men engaged in their first radical activity while in their teens or early twenties. They also moved into positions of functionary rank quickly and while still young were what might be called "full-time employees" of the party.

The data indicate that the Communist party is a type of "closed bureaucracy"—that it recruits its leadership internally. Thus it would be natural that those who joined at the earliest ages would have the best chances of moving into positions of leadership. However, it is interesting to speculate about the relationship of early commitment to the party goals to some of the other observed characteristics of the party elite. One of their frequently mentioned characteristics is their total involvement in the party which precludes any meaningful participation in other groups or activities. Most individuals have a plurality of partially competing loyalties—loyalties to family, to church, to state, or to other social groups—no one of which is constantly subordinated to another. The high Communist functionary apparently does not have these conflicting loyalties—at least to the same degree. It seems that his duties and obligations are ordered in a relatively rigid hierarchy. Loyalty to the party is not only at

the top of this hierarchy, but also determines the order and importance of whatever secondary loyalties the individual may have.

Late adolescence is the period of life when the plurality of interests and goals that characterize most men are being developed and stabilized. If during this period an individual not only joins but becomes a functionary in the Communist party, which requires that he have few relationships outside of the party, it is unlikely that such interests will ever develop. For the remainder of his life, he may have little alternative to membership in the party. Dedication to the goals of the party may become such an integral part of his personality that another life may be almost inconceivable. The top leaders enjoy what might be called a "chastity of commitment" to the party. They moved into the party before being touched by many of the demands of society—before they had a family or settled career—and after they joined, they quickly surrendered their entire lives to the needs of the organization. It is certainly reasonable to suppose that the unique type of devotion demanded by the party of its leaders is most easily commanded from an individual who became committed to the party goals before becoming encrusted with a whole host of other loyalties and obligations.

In view of the above comments, it might be said that there are two aspects of total commitment to the Communist party: (1) the internalization of the value system of the party by the individual member; (2) the loss of alternatives, once having joined. The internalization of the value system of the party can occur in a variety of social contexts. The child of loyal Communist parents who becomes a "committed" member of the party in a sense has internalized the familial value system which is more or less isomorphic with the value system of the party. The adolescent coming into the party through this avenue is at peace with his family—is not rebellious toward family authority. He is, however, by virtue of his commitment, rebellious toward all of society which is opposed to the goals of the Communist party. The life of Pajetta, reported above, illustrates how an individual can conform to the value system of the primary group, but show extreme rebelliousness toward society. There are other Communist leaders who departed radically from family values and showed rebelliousness toward the primary group. These people found party members with whom to identify and to follow and affiliated with a group outside the family. On the basis of the data available, it can thus be said that some adolescents came into the party having internalized its goals through identification with the family's value system, whereas others came into the party through rebellion against the family's value system. Unfortunately, the data are too limited to provide anything except some context in which speculation can occur about variables which are important in contributing to the different patterns of rebellion-conformity which are observed. The awareness and understanding of the existence of these various patterns in adolescent culture in general provide a problem for the social scientist. In this country there are numerous examples of adolescents who simultaneously show slavish conformity and destructive rebelliousness.

As far as the loss of alternatives is concerned, it should be noted in passing that this loss is so complete and pervading that an individual can never get back to the place where he has a variety of important choices available for him to make. When he becomes a Communist, he closes many doors which can never again be opened—even if he were to leave the party. To be an ex-Communist is very different from never having been a Communist.

There is not enough information available to provide a basis for understanding the psychological motivating forces which promoted early commitment on the part of these individuals. Little is known, for instance, about their early lives. In spite of this, it might be worthwhile to bear in mind some general factors which may shed light on the question and also provide a context for further study. It has been pointed out that the decisions of commitment were made in late adolescence and early adulthood—a time when the strong impulses, conflicts, and rebelliousness that characterize early adolescence are being resolved. It is interesting to note that while commitment to the Communist party meant making peace with one authority (party authority), it made possible continued rebellion against and conflict with extra-party authority.¹⁴ If data were available, a whole new research effort might be devoted to the investigation of the personal needs satisfied by this continued outlet for rebellion.

As mentioned above, the life of a party militant is not an easy one. Not only are the demands of the party severe, but persecution by the larger society may result from membership. This suggests that the motivating forces of the elite are strong—that the needs satisfied by active party membership are deep and pressing.

Although limited data make it inadvisable to carry this discussion much further, it is interesting to speculate on the need systems which might be in operation, the satisfaction of which would be easier and more complete through the Communist party than through the larger society. A person, for example, with a strong dominance-submission need system (i.e., with strong needs both to dominate over others and submit to others) might find more direct satisfaction through the Communist party where he submits to those above him in the organizational hierarchy and dominates those beneath him and where an issue is made of those relationships. A person who, for one reason or another, has a need to be aggressive and fight has more of a rationale for doing so as a member of a militant minority group. The Communist party is one place where these needs may be satisfied.

In summary, then, the process of commitment follows this course: (1) internalization of the party's set of values (either inside or outside of the primary group); (2) affiliation with party members; (3) the loss of alternatives (educational, vocational, social, etc.); (4) consequent reinforcement of the internalization (satisfaction of various needs).

¹⁴ The role of this type of motivation in the Nazi movement has been mentioned. See, for example, Erik H. Erikson, "Hitler's Imagery and German Youth," *Psychiatry*, Vol. 5, pp. 475-93, esp. pp. 475-80, 486 (Nov., 1942). Erikson characterizes Hitler as "... an adolescent who never gave in."

The previous few paragraphs have hypothesized about the possible personality characteristics of the Communist top leadership. This should not be interpreted to mean that any attempt is being made to "psychologize" the problems of the origins and development of the Communist movement. Even if it were experimentally demonstrated that a majority of the people in the Communist party had similar personality structures and need systems, we would not say that the Communist movement is "caused" by the existence of people with given personality patterns and need systems. The causes of great social movements are always too complex to be "explained" in terms of a single variable. The present knowledge in the social sciences suggests that it is most meaningful to conceptualize the problem of the origins of a movement such as communism in terms of the interaction of social forces and pressures and the need systems of different people in various groups in the society. Further speculation along these lines would not be fruitful because of lack of necessary empirical data.

URUGUAY INTRODUCES GOVERNMENT BY COMMITTEE*

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Of the ten countries in South America, nine now have presidents who are dictators or who at some time during their careers have exercised dictatorial power. The tenth, Uruguay, with its tradition of working democracy, has resisted this trend towards personalist government. Recently it took an important step in the diffusion of executive power when through orderly constitutional reform the national presidency was replaced by a nine-man executive committee. The nation's stability has been attested to by those most cautious of judges, the international investors, who, fearful of trouble in Europe after the outbreak of war in Korea, moved their capital holdings from Berne to Montevideo. The country's democracy has been even more welcomed by those who have found it an oasis of freedom from Perón's police state across the river. Uruguay has successfully met Latin America's ever basic problem, political stability under democratic procedure.

I

Casual visitors who call Uruguay the Switzerland or Denmark of South America probably have in mind its small size; its location between two large states, Brazil and Argentina; its population of merely two and a half million; its pastoral economy, political liberty, social legislation, and government economic activities; and especially its penchant for a Swiss-style pluripersonal executive. Yet at best this comparison is severely out of context.

The rolling natural pastures of the Uruguayan interior are the real basis of the nation's wealth. From the carefully bred livestock that graze them, come the wool, hides, and beef which make up ninety-seven per cent of the country's exports. But Uruguayan ranchers have been content with fencing and breeding. Continuous grazing impoverishes the unimproved natural pastures, and unchecked animal diseases take their toll. Production costs continually rise while the livestock population remains constant.¹ And the system has social evils. Families take up valuable land, so ranchers insist on a bachelor life for their few permanent peons. At the crossroads and other no-man's lands, *pueblos de ratas*, or "rat towns," provide gathering places where men, women, and children live in filth and promiscuity.

In contrast, Montevideo, Uruguay's capital and only big city, has the easy-

* A twenty-month stay in Uruguay on a fellowship from the Doherty Foundation, personal acquaintance with the leading figures in the reform, and close following of the Montevideo press constitute the background for this article.

¹ International Bank for Reconstruction and Development and Food and Agriculture Organization of the United Nations, *The Agricultural Development of Uruguay. Report of a Mission Sponsored by the International Bank for Reconstruction and Development and the Food and Agriculture Organization of the United Nations at the Request of the Government of Uruguay* (Washington, D. C. and Rome, 1951), pp. 2-3.

going atmosphere of a prewar European capital. The apparatus of repression, so apparent in nearby Buenos Aires, is absent. The home of almost one-third (approximately 900,000) of the entire national population, the city performs two prime functions: it handles the country's foreign trade and acts as national administrative center. Government employment takes care of an extraordinarily large though imprecisely known number of its people, perhaps 120,000, most of them old-line bureaucrats. In spite of a policy of protection, industrialization—except for food processing—has made limited headway.

This typically Latin American combination of an underdeveloped monoculture interior and a large and, in a certain sense, parasitic capital hardly resembles Switzerland or Scandinavia. A much closer resemblance, at least to Scandinavia, appears in the area of public administration. Government bulks large in Uruguayan life. Since the country has a centralized and not a federal system, every-day matters like education and public health are under the national administration. Government functions expanded rapidly during the decade of the First World War, when Uruguay became the Western Hemisphere's pioneer in social legislation. The country had an eight-hour day and a social-security program nearly twenty years before the United States. Simultaneously, the government entered the economic field. Today, government corporations are active in or monopolize such important economic activities as transport, banking, insurance, electric power, and the importation of petroleum.² The Great Depression and World War II added to government power in Uruguay as everywhere else. The government now controls the allocation of foreign exchange, so crucial for its export-oriented economy; it subsidizes agriculture; and it participates in collective bargaining.

Democratic politics implies, of course, popular direction of government. Uruguayan politics are democratic. The country's respect for civil liberties is unsurpassed anywhere in the world, political campaigning is free and extensive, elections are honest, and their results are decisive. Yet one party, the Colorado, has been in power since 1865. The explanation of this riddle of democratic politics and indefinite one-party dominance is complex. The Colorado party has changed with the years, allowing new groups to take control. In this century a great and visionary politician, José Batlle y Ordóñez,³ saved it from defeat and gave it the impress of advanced ideas. Those unwilling to follow the new direction broke off to found new Colorado parties; most of the party stayed with Batlle y Ordóñez to form the Colorado-Batllista party. Although the different Colorado parties have separate organizations, they recognize a common tradition and pool votes at election time by means of ingenious election laws which enable them to retain control of the national executive. These techniques

² Simon G. Hanson, *Utopia in Uruguay; Chapters in the Economic History of Uruguay* (New York, 1938), and George Pendle, *Uruguay: South America's First Welfare State* (London and New York, 1952) deal with government economic activities and social legislation.

³ The best published biography is Roberto B. Guidici and Efraín González Conzi, *Batlle y el Batllismo* (Montevideo, 1928).

are adequate for normal times, but historically the stress of political crisis determines a more heroic procedure; at such times Colorado dominance has been continued only by giving the traditional opposition Blanco (or Nationalist) party participation in government.⁴

II

President Andrés Martínez Trueba in his inaugural address on March 1, 1951, touched only briefly on the necessity for constitutional reform. Martínez Trueba was a Batllista, so that his listeners were aware of what he had in mind when he spoke—the *colegiado*. Forty years earlier Batlle y Ordóñez had brought back from Europe plans for a collegiate or pluripersonal executive as his solution for Latin America's ever-present problem of presidential omnipotence. Not until 1917, during the administration of his successor, was he able to get even a modified version of this plan approved by a hostile constituent assembly, and the effort split the Colorado party permanently. From 1919 to 1933 the country was governed by a president who controlled the ministries of war, interior, and foreign affairs, and a nine-man executive which controlled the other agencies. President Terra's coup in 1933 abolished the collegiate executive and restored full powers to the presidency, but the Batllista party survived Terra and won the election of 1946. Its leaders, doubly convinced of the dangers of presidential rule by the hounding they received during Terra's dictatorship, were pledged to institute the plural executive at the earliest opportunity.

While listeners were well aware of what Martínez Trueba meant, the reference to reform in his inaugural address drew little attention. Speculation was centered instead on his surprising victory in the recent November elections, for his candidacy represented the culmination of several years of uncertainty within the Batllista party. Shortly after taking office in 1946, President Tomás Berreta had died; Vice President Luis Batlle Berres, nephew of the late Batlle y Ordóñez, took over. As the new president gathered strength and popularity, he came to challenge his cousins, the three Batlle Pacheco brothers, for leadership of the party. In 1950 the issue came to a head with the nomination of two Batllista presidential candidates. The faction led by President Batlle Berres supported Martínez Trueba; the faction led by the Batlle Pacheco brothers supported the equally respected César Mayo Gutiérrez. The Batlle Berres group considered itself the reforming and advanced sector; it labelled its opposition within the party as old guard. The wing gathered around the Batlle Pacheco brothers rejected any assertion that it was conservative; the brothers themselves were Batlle y Ordóñez's sons; they ran *El Día*, the newspaper he founded, and were in their own right experienced political strategists. Both tickets appealed to the areas of Batllista strength: Montevideo and the towns,

⁴ For the political history of Uruguay see Juan E. Pivel Devoto, *Historia de los Partidos Políticos en el Uruguay, 1811-1897*, 2 vols. (Montevideo, 1942-1943), and *Uruguay Independiente* (Barcelona, 1949); Alberto Zum Felde, *Evolución Histórica del Uruguay*, 3d ed. (Montevideo, 1945); and Eduardo Acevedo, *Anales Históricos del Uruguay*, 6 vols. (Montevideo, 1933-1936).

and the farmers—though not the ranchers—of the interior. Batlle Berres had heavy support among the working people; *El Día* fared better with the commercial classes.

In addition to the Batllistas, a third Colorado candidate, Dr. Daniel Blanco Acevedo, was in the field. He united in his support the Independent Colorados, a coalition made up of the remnants of groups that had split with Batlle y Ordóñez and of the political forces growing out of the Terra coup of 1933. Dr. Blanco Acevedo is himself a close relative of the late Dr. Terra, and his supporters ranged from conservative ranchers to moderates of the business and professional classes of Montevideo.

The Colorados had, as usual, agreed to pool votes. The mechanics of vote pooling are relatively simple. The ballot for each party was simply a list headed by the candidate for president and followed by the candidates for the Senate and Chamber of Deputies. The voter would choose the list of his preference and deposit it unmarked in the urn. To determine the presidential candidate, the three Colorado lists would be counted separately, and whichever of the three received the greatest number of votes would have added to its total the votes of the other two. Vote pooling is not used in the legislative elections; here seats are determined by proportional representation among the lists of all parties in the election.⁵

Pitted against the three Colorado candidates was the seventy-seven year old *caudillo*, Dr. Luis Alberto de Herrera, perennial candidate and unquestioned leader of the Nationalist party. Herrera had the *caudillo's* wide-ranging appeal, not only to ranchers but to working people in Montevideo as well. He was handicapped in that the Independent Nationalists did not pool votes with him. This group, mostly Montevideo moderates, had broken with Herrera in 1933 when he supported Terra, and their dissatisfaction with him heightened when he began flirting with Perón. The small parties—Catholic, Socialist, and Communist—stood no chance of winning the election.

Martínez Trueba's victory capped an exciting campaign and came somewhat as a surprise. Batllistas did not usually vote against *El Día*. Martínez Trueba's list received 161,264 votes, that of Mayo Gutiérrez 150,951 votes, and Blanco Acevedo's 120,949 votes. These pooled came to 433,164 votes, enough to defeat Herrera's 254,835 votes, although the *caudillo* as usual was the single candidate with the most votes. The Batllista split was so nearly equal that ultimate control of the party by any one faction was in doubt, and it was this implication that intrigued politicians as they listened to Martínez Trueba's inaugural address.

Whatever others were thinking, the new president rapidly activated his own desire for immediate reform. This too surprised many, since such willingness to give up power is unusual in politicians. Since Martínez Trueba's own party lacked the votes to carry the *colegiado* through alone, he sounded out Herrera.

⁵ Julio T. Fabregat, *Los Partidos Políticos en la Legislación Uruguaya* (Montevideo, 1949), is a compilation of the pertinent laws.

The *caudillo* agreed, as did Batllista leaders. Closed-door negotiations then took place between an Herrerista committee and a Batllista committee (formed from both wings of the party) in May and June of 1951.

The different political groups negotiated for different reasons. For the Batlle Pachecos of *El Día*, this was a wonderful opportunity. They sincerely believed in the *colegiado*, as had their father before them. All their experience pointed to the danger of presidential government, and the personal power and possible second presidency of Luis Batlle Berres, who very likely would try to succeed Martínez Trueba, made immediate change greatly to their benefit. The Batlle Berres wing could not be enthusiastic. They had plans for this and the next presidency; there was time enough for change later on. But the *colegiado* was the core of the party program; they could not cross Martínez Trueba so soon after election, so they too sat in.

Herrera's motives were even more subtle. A one-time member of the old plural executive, he had turned against it in 1933; his party had been against the *colegiado* ever since. But political consistency on the theoretical level had never been his forte. His own future electoral chances were dubious and he badly needed the support of the Independent Nationalists. He too looked with disfavor upon another term for Batlle Berres. Within his own party there were pullings and haulings for the position of his political heir, and the right constitutional reform could ease this unpleasant problem. It could also give the Nationalist party its time-honored goal: co-participation.

The dispute between co-participation and one-party government is almost as old as Uruguay itself. On the lowest level, it involves simply the apportionment of government employment. On another level, it asserts the necessity of control and supervision of the majority party by the minority party through representation in the government. At different times Colorados have been able to reconcile this kind of minority participation with one-party government, but they insist that policy be made by the majority party. They hold that political parties represent views reflected in distinctive party programs and that only policy makers who are in the majority party and believe in its program can meet the mandate of the voters. The assumption underlying co-participation asserts, contrariwise, that government policy concerns the whole nation; therefore representatives of important minority positions should help formulate it. Since, in fact, co-participation is the political philosophy of the "outs" and one-party government that of the "ins," party rotation in office would reduce the struggle to academic dimensions.

The parties to the secret negotiations finally made public, on August 1, a twelve-page pact to be presented for approval, first to their respective party conventions, and then jointly to the national legislature.⁶ The proposals really

⁶ Directorio del Partido Nacional, *El Partido Nacional y la Reforma de la Constitución* (Montevideo, 1952), pp. 35-47. This publication contains the discussion of the pact by the Herrerista directorate. The only other important public disclosure of the pact-making process was in a speech by Andrés Martínez Trueba, *El Día* (Montevideo), November 4, 1953.

amounted to drastic amendments to the existing constitution, rather than general reform.⁷ The principal innovation abolished the presidency and substituted the National Government Council (*Consejo Nacional de Gobierno*), whose nine members would be elected concurrently for four-year terms. Six seats on the council would go to the most-voted list of the most-voted party or party pool (*lema*)—the same system used for the presidential election—and three to the most-voted list of the *lema* which followed it. The presidency of the council, a purely honorary position, would rotate annually among members of the majority list. No single councilor could issue any orders. Ministers would be appointed by the majority vote of the councilors. An analogous system of plural executives would go into effect in the local governments. Local ballots, which had previously been separate from national ones, would now be combined. This meant that the voter had to vote the straight party ticket for all elective officials.

Very important, because of its political implications, was the proposed system of nomination of the directors of government corporations and similar government organizations. The councilors representing the majority party would name four members of a seven-member board of directors, and the councilors representing the minority party would name three; if the board had only five members, the parties would split three and two. Similar arrangements were proposed for the Supreme Court, the important general accounting tribunal, and the new and potentially powerful administrative tribunal. Budgetary procedure was revised so that the executive would present only one budget for its four-year period. No new government jobs could be created and government wages could not be increased during the twelve months preceding general elections. These last provisions, designed to cut electoral use of the public payroll, were incorporated at the suggestion of President Martínez Trueba.

The negotiators proposed that the new government take office March 1, 1952, to fill out the last three years of Martínez Trueba's term. In the future the council would be elected by popular vote; the first council, however, would be elected by the national legislature, with the majority party members nominating six councilors, and the minority party three. This transitory measure was more important than at first appears, since it meant carrying over the result of the presidential election without re-appeal to the voters. Similarly, of the methods available for constitutional reform, the negotiators chose the one most likely to allow their pact to go through unscathed by what might be unadvantageous revisions: a constitutional law approved by two-thirds majorities of both houses of the legislature, followed by ratification in a public referendum.

Public curiosity was now excited. Just what had the major parties gotten

⁷ Russell H. Fitzgibbon, "Adoption of a Collegiate Executive in Uruguay," *Journal of Politics*, Vol. 14, pp. 616-42 (Nov., 1952), considers that the modifications were sufficiently basic to constitute a new constitution. This article also compares the Swiss and Uruguayan constitutions.

out of the pact? The Batllistas had the *colegiado*; though their ultimate goal was a plural executive with all nine seats going to the majority party, they compromised, as Batlle y Ordóñez had done in 1917, by giving three seats to the minority. The Herreristas got what they considered co-participation: three seats on the council and extension of the existing practice of giving them representation on government boards of directors. These well-paying jobs and keys to important patronage represented a sizable gain. Both groups profited from provisions limiting vote pools to factions of the "historic parties," thereby denying the benefit of pooling to coalitions of the smaller parties. The single ballot for national and local elections was important to the Batllistas, who were worried about ticket-splitting in Montevideo. There was a similar give and take on other party problems of an immediate nature. To protests that this was an immoral split of political loot, the negotiating parties replied that once approved by the party conventions the pact would be submitted to the legislature where reasonable changes could be made.

It was at this stage that ex-President Luis Batlle Berres, who had remained silent throughout the negotiations, chose to complicate matters. Speaking at a party meeting in the river town of Paysandú, he first reaffirmed his faith in the *colegiado* and then expressed his dissatisfaction with the particular reform in progress. He called instead for the popular election of a constituent assembly. Such an assembly would serve a twofold purpose: it would test Herrera's loyalty in carrying out the pact—a loyalty which the speaker doubted—and it would stir up the public enthusiasm necessary for the *colegiado*'s successful existence. The proposed political reforms were inadequate; social and economic reforms would have to be added.⁸

The speech created a furore. If he persisted in this attitude, Batlle Berres would break with Martínez Trueba, repudiate those of his supporters who had helped negotiate the pact, and lay himself open within the party to charges of duplicity. Such a position was politically unfeasible.

When the Batllista convention opened later in August, those who expected fireworks were disappointed. The pact's negotiators explained its provisions. The proposed *colegiado* was, they insisted, an improvement over the earlier one, since it would not have to divide power with a president. They denied that the new government would mean co-participation; one party would have the absolute majority and this majority would name all the ministers and make all decisions, thereby preserving one-party government. The presence of the minority on the council and on boards of directors would merely assure that no illegal acts took place. They reminded the convention that the late Batlle y Ordóñez himself had accepted the same arrangement in the old *colegiado* and had considered it one-party government. Only second-line leaders of the Batlle Berres wing spoke in opposition to the pact and even they came around to its support, although with reservations. César Batlle Pacheco, chief strategist of the *El Día* faction, in a strong speech defending the pact, dismissed the argument

⁸ *Acción* (Montevideo), August 16, 1951.

for a constituent assembly: "A general would be very imprudent if he moved his army through the most dangerous roads when he could conduct it through safer ones."⁹ There were roars of approval and the pact was ratified.

The Nationalist convention which met shortly afterwards was a smaller affair. Herrera's followers long since had adopted the line, "follow the *caudillo* in whatever he does." The *caudillo* now wanted the pact confirmed; the convention responded by unanimously approving it. Even those whose political futures were being darkened by the reform toed the line.

The project now went to the legislature, where promised modifications were forthcoming. Complicated revisions were introduced into the electoral law designed to give one of the majority's seats on the council to the Independent Colorados and one of the minority seats to the Independent Nationalists and so secure the support of these groups for the reform. Sensitive to complaints that the dignity of justice would be impaired by provisions concerning the judiciary, the contracting parties revised the methods for nomination of members of the Supreme Court and other tribunals, but the practical effects on party division of posts were slight. Another change gave the Senate a nominal right of rejection over nominees to the boards of directors of government corporations.

These alterations attracted votes, but the fundamentals of the reform remained. Revisions were decided upon in committee; debate on the floor was for the record. Within two months easy approval was secured.¹⁰ Only one more step, approval by the voters, remained.

The parties now opposing the reform represented a very small part of the electorate; in the presidential elections of 1951 their combined vote was only one-seventh of the total vote. The *colegiado* itself was not a major issue. Within the opposition, the Civic Union (Catholic) and Socialist parties sympathized with certain types of plural executives, the Communists were indifferent to the question, and only old-guard Independent Colorados detested it. They had broken with Batlle y Ordóñez in 1913 over the issue; they now repudiated Dr. Blanco Acevedo, whose support the reform had won. Theirs was the traditional argument: the *colegiado* was slow, cumbersome, inefficient, costly, anarchic; furthermore, it gave one-third of the government to the opposition.

The anti-reform forces united behind the slogan, "Vote No Against This Abomination." Claiming that the voters who had elected a president for four years were being victimized by spoils-minded politicians, they asserted that the unspoken motives behind the pact were to resolve the Batlle family struggle and settle Herrera's internal feuds. How could Batllistas and Herreristas, at each other's throats for years, now embrace? The anti-reform forces sneered at what they called the new golden rule of Uruguayan politics: divide the jobs three and two.¹¹ The entrenched political organizations were, they maintained,

⁹ *El Día*, August 23, 1951.

¹⁰ República Oriental del Uruguay, *Ley Constitucional sancionada el 26 de octubre de 1951, que será sometida a plebiscito de ratificación el 16 de diciembre de 1951* (Montevideo, 1951), pp. 3-94.

¹¹ *El Diario* (Montevideo), December 15, 1951.

trying to write their present predominance into the Constitution against the future. The opposition concluded its attack on the pact by calling on the good sense and common decency of the voters to reject what it considered a colossal affront.

Unity among the parties favoring reform was at best only apparent. Luis Batlle Berres was in Europe leading Uruguay's delegation to the United Nations; his followers made no great effort to hide their distaste for what was transpiring. They attacked Herrera daily. Within the party they repeated their pre-convention strategy: on the basis of their majority in the presidential election, they demanded all five seats available on the coming National Government Council; yet once more they retreated. At nominating time they settled for two seats for their faction, two for *El Día*, and one for Martínez Trueba as a neutral. Dr. Blanco Acevedo had been promised the remaining majority seat, and his contribution to the campaign was a simple and direct, "Vote Yes so that Blanco Acevedo can go to the council." The campaign of the Batlle Berres group was far less direct; it was really designed to encourage abstention or worse. In fact, shortly before election day, they felt compelled to deny publicly that they were working against reform.¹² The *El Día* group worked hard; they called on the faithful to pay their debt to the late Batlle y Ordóñez, end presidential power, and help achieve the Batllista dream, the *colegiado*. Herrerista leaders were equally anxious to win. This was, for them, the best deal their party and their country had been offered in years. On the stump neither Batllista nor Herrerista speakers were anxious to defend the embarrassing pact; they preferred to call the opposition names.

It was apparent that the pro-reform campaign had not caught fire in Montevideo. The unions were afraid that the new government would weaken their friend Luis Batlle Berres and result in a less sympathetic policy toward organized labor. Students feared that the reform would introduce politics into the national university; formal disavowal by the negotiating parties of any such intent did not fully satisfy their doubts. A sharp drop in wool prices dampened economic activity and produced general discontent. Yet that seven-to-one vote majority of the parties favoring reform made even a close vote seem unlikely.

December 16, the day set for the referendum, was a pleasant summer Sunday. As expected, the vote was light and orderly. That night alarming results began to come over the radio. For those who listened at *El Día* it brought back memories of the *colegiado*'s first defeat, thirty-five years before. Montevideo was voting against the reform. Several hours later bulletins from the interior showed that ratification would squeak through. Tension slacked off, *El Día*'s siren announced victory—but in the back of many minds was a vision of dark and evil things narrowly averted.

Montevideo had voted "No" by 32,645 votes; the interior "Yes" by 60,157. Preliminary national totals were 196,025 votes "Yes," 168,513 "No." When

¹² *Acción*, December 15, 1951.

challenged votes were added, a total of 429,760 had voted and the final favorable majority was 34,392.¹³ Only half as many had voted as in the last presidential election.

El Día put on the best possible face and interpreted the result as another victory of reason over obscurantism. Herreristas attributed victory to the Nationalist votes from the interior. The joy of Luis Batlle Berres' followers was open: the electorate had heeded their warnings, and their leader's political fortunes were redeemed. The opponents of ratification were surprised and delighted by the closeness of the outcome. Some even made half-hearted suggestions that the Constitution be disregarded and new general elections held. But such talk died quickly and agreement to respect the vote was general.

It was not clear what the unusual vote implied. Hard times, union and student discontent, and other transient causes had something to do with the outcome. Many attributed all the credit or blame to the equivocal maneuverings of the Batlle Berres group. But the major reason why Montevideo voted "No" was the pact itself. The opposition made skillful use of its less savory features, and its sponsors were hesitant in its defense.

A significant fact coming out of the referendum was that the currents which agitate Montevideo do not carry to the interior. Montevideo is the country's political center where overall decisions are made; the interior's role is largely passive. In the capital the neighborhood political club moves the voters; in the interior it is the local *caudillo*. Interior politics still center on the traditional party symbols, while Montevideo's are more complex. The capital's voters demonstrated independence and a willingness to decide on particular issues. This great loosening of party discipline can develop into a large floating vote and seriously prejudice the supremacy of the traditional parties which the constitutional reform attempts to perpetuate.

III

On March 1, 1952, government by committee was installed. The new government faced a difficult if not crucial situation. Martínez Trueba's year in the presidency had been devoted to seeing the reform through. He had been inactive on other fronts. The post-Korea bonanza wool prices, which capped the Batlle Berres era, had disappeared. The treasury was left with deficits from these free-spending years while current revenues plummeted.

There was some uncertainty whether the national council could successfully confront its problems. Public vote had given it only shaky approval. Its composition, a by-product of the pact, presented possible difficulties. Could the cohesive majority necessary for its functioning be fashioned from one neutral Batllista (Martínez Trueba), two Batllistas from *El Día*, two Batllistas from the Batlle Berres wing, and Blanco Acevedo, an Independent Colorado? Luis Batlle Berres' return from Europe in April heightened the possibility of dissension, especially when he began a campaign of criticism against Martínez

¹³ *Acción*, December 17, 1951; Directorio del Partido Nacional (cited in note 6), p. 14.

Trueba. This development was not surprising, since the Batlle Berres group now had only two-ninths of an executive which they believed belonged to them totally.

Forebodings of serious dissension have not yet materialized; on the whole the council has acted firmly and smoothly. It met its biggest test when it took extraordinary measures and ended a general Montevideo transport strike in September, 1952, acting with more firmness than Martínez Trueba had shown under like circumstances during his term of office. Later, in the face of considerable vocal opposition, it ratified a defense treaty with the United States, and the legislature after some delay concurred.

The council's principal preoccupation throughout its first two years has been meeting the continuing economic difficulties brought on by the wool crisis. It saw through the legislature a budget as austere as political conditions would permit, one of whose provisions limited the filling of vacancies in government employment. It has severely regulated foreign trade by cutting imports and has resisted a more favorable dollar exchange rate for wool exports, with the result that the 1953 commercial balance was favorable after two years of deficit.¹⁴ In addition to retrenchment, the council has attempted a positive economic policy. It has approved and the legislature is considering large-scale electrification expansion and long-range economic development plans in cooperation with the World Bank. A six-year public works program frankly designed to provide needed employment has also been submitted.

The council's economic policy has been both realistic and foresighted, but in the absence of a higher world wool price its immediate results have not been to bring back good times. Hard times lose votes and the election approaches. The council has already felt obliged to approve a rise in old-age pensions and has refused to raise the retail milk price in Montevideo. Similar steps will undoubtedly be taken before 1954 ends.

One definite result of the new government has been to increase the strength of party organization. Since neither the Batllista nor the Herrerista councilors have any large personal followings, they need party support and approval for their acts; this gives the party caucus increased importance. Coincidentally, executive influence over the legislature has been weakened. Political pressure on legislators comes from the party caucus rather than from the councilors. This weakening of the political power of the executive and strengthening of the political party was precisely the intended result of the reform, but it is not an inherent characteristic of the collegiate institution. To win elections the parties will have to put up strong popular candidates who, when elected, may be far less amenable to party discipline than are the members of the present council.

From the very start all of this council's deliberations have been influenced by the coming 1954 elections, when party strength under the new system will be

¹⁴ Speech by Eduardo Acevedo Alvarez, Minister of Finance, *El Día*, November 7, 1953.

measured for the first time. It was almost inevitable that the old co-participation controversy would become a central issue. Colorado majority cohesion has conserved one-party government in large part. The favorable vote on the defense treaty with the United States was six to three along party lines. In the trying days of the transport strike, and at other times, unanimity and minority assent were sought. This is minority participation in policy making—real co-participation. The increasing political pressures which the election brings make any serious Batllista-Herrerista cooperation difficult. Although the councilors of the Batlle Berres faction have generally voted with their *El Día* brethren, outside the council the Batlle Berres group is already campaigning against a presumed *El Día*-Herrerista control of the government.

IV

Subordinate political considerations play a large role in Uruguay. Such concerns are not unique to that country, of course, but some of them are of a special sort. In the United States the development of social security and the merit system have cut much of the vote-delivering power of political organizations. Uruguay has an older social security system and a relatively larger bureaucracy, but these have enhanced the vote-delivering power of political organizations. If an eligible applicant for an old-age pension waits for normal processing, years elapse; presentation of a politician's calling card speeds the pension through. Similarly, political influence is the safest and surest means of advancement in government service. In other countries the social-service state is markedly impersonal, here it is markedly personal. The price Uruguay has to pay for this condition is high: the large and lazy bureaucracy taxes resources, and overstaffing with political appointees has wrecked the earnings and service capacities of once successful government corporations. The price is high in another way: the situation imposes on political leaders a base and discouraging tutelage, and on the voters a reciprocal skepticism—as was so apparent in the process of constitutional reform.

The unusual nature of the recent change is in contrast with the quietness of current politics. Although the country has moved with the times, it is no longer Latin America's social and economic innovator. Actually the Batllista party program has not been revised in almost thirty years; party leadership is divided between the sons and the nephew of the founder. Herrera, seventy-eight years old, has dominated his party for three decades. Even in the smaller parties the pattern is repeated. Uruguayan politics today is dominated by old men and the sons who have inherited their fathers' authority and political views.

The *colegiado* itself is not exotic to Uruguayans. The idea has been before them for forty years. They have experienced fifteen years of mixed pluripersonal and presidential government. And certainly in the present reform lofty aims have been confused with practical political considerations.

Can government by committee survive? The usual objections are that it is slow, cumbersome, and ineffectual. Not necessarily: a collegiate executive can be firm, as the present government has shown in its decisive handling of the

transport strike, while a president can be vacillating. It is true that under the pressure of economic crisis, President Terra overthrew the existing *colegiado* in 1933 in Uruguay's only twentieth-century deviation from constitutional government. Yet the important cause then was not the council's policy in the face of difficulty, but control of the different branches of government by antagonistic political groups. The current reform fills the needs of the existing political situation. Political shifts in the future are much more likely to produce difficulties for the plural executive than is its own possible ineptness.

A threat to the *colegiado* could quite likely endanger Uruguay's most compelling success—political stability under democratic procedure. It bears repeating that the country's respect for civil liberties is unsurpassed anywhere in the world, that Uruguayan political campaigning is free and extensive, that elections are honest, and that election results are decisive. Even the devious maneuverings of politicians are the offshoots of democratic politics, since they spring from the necessity of securing ultimate public approval. Among the complex bases of Uruguay's political stability, one seems cardinal: there is not so great a difference between the political parties that they cannot abide by the results of an election. This fact must be properly appreciated. It does not mean identity of interests or merely personal politics. These last years have been heavily political so that personal differences have come to the forefront. In addition, however, certain general ideological tendencies can be discerned. *Batllistas* are sympathetic to government intervention, *Herreristas* tend to defend ranchers' interests; *Batllistas* favor freethinking, *Herreristas* do not; *Batllistas*, and indeed all *Colorados*, are pro-American, *Herreristas* are pro-Argentine; *Batllistas* emphasize comprehensive party organization, *Herreristas* have a much looser organizational framework. These are discernible tendencies; they are not always formalized in campaign platforms. Americans sometimes seem to expect politics in other countries to be highly rigid both ideologically and socially, forgetting the essential ambiguousness of the American party system. Uruguayan political parties resemble their American counterparts in that they try to make the broadest possible appeal without neglecting the interests of their long-time supporters.

Latent threats to Uruguay's stability can always be suggested. Some say that a demagogue could gather strength with the unions and emulate Perón. But Montevideo's limited industry provides too small a proletariat to support such a movement, even if the unions so desired. It is true that rural workers are exploited, but so far they are content with the old parties. If Montevideo's floating independent vote should solidify into new political molds, it would pose a problem for the existing electoral system. But such a new force would more likely be a stabilizing and democratic element whose demands could be met through constitutional reform. Serious realignments within the traditional parties would pose the greatest threat, but there is much precedent for compromise and solution. There is every chance that the country's orderly development will continue.

For the short run all eyes are on this November's election. Within the *Bat-*

lista party, jockeying for this crucial vote has long been underway. The Batlle Berres faction wants separate lists for its candidates and those of *El Día*, in a win-or-lose struggle for all the council seats available. It refuses to take responsibility for the acts of the present government and is attempting to rally the Independent Colorados to its side by calling for an eventual all-Colorado *colegiado*. *El Día* is quite satisfied with the present collegiate arrangement and demands that the Batlle Berres group either support or leave the government. It calls on all Batllistas to unite around the true principles of the party in opposition to the personalist leadership of Luis Batlle Berres.¹⁵ It therefore resists separate lists in favor of a joint list including both factions and neutrals. Either separate lists, a joint list, or some form of proportional representation can be reconciled with the electoral system. On the basis of the past, some compromise whereby both factions are represented on the council would be the most likely outcome. Among the *Herreristas*, agitation is even greater, if possible. The struggle over succession which the *caudillo* hoped had been submerged by the reform has broken loose. There will be two *Herrerista* lists, one with and one without the blessing of Herrera.

The campaign promises to be intense and bitter, with a Batllista victory its generally expected outcome. Because of the struggle for votes within the parties, it appears likely that Herrera, César Batlle Pacheco, and Luis Batlle Berres will head electoral lists and have places in the next government. If so, this will present the *colegiado* with its greatest challenge and its greatest opportunity. It will be challenged to produce a working government with the country's three most powerful political leaders daily facing each other across the table. It will be an opportunity for the best and most experienced leadership the country can offer to transcend squabbles and to continue political stability under democratic procedure; and, through revitalizing the country's bureaucracy, increasing basic production, extending social justice to the rural poor, and extending production and social justice in the capital as well, to progress toward a richer life for all Uruguayans.

¹⁵ *El Día*, February 2, 1954.

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BIBLIOGRAPHICAL ARTICLE

NOTES ON LITERATURE AVAILABLE FOR THE STUDY OF COMPARATIVE PUBLIC ADMINISTRATION

I. COMPARATIVE ADMINISTRATION—AN EMERGENT FIELD

American interest in public administration abroad began with a concern for improving American administration. This resulted in comparisons between American and foreign practice, usually in favor of the latter, and in recommendations for the importation of this or that institution from abroad. Dorman B. Eaton's *Civil Service in Great Britain: A History of Abuses and Reforms and Their Bearing upon American Politics* (New York, Harper, 1880) is a classic of this literature. Abounding in value judgments, it mixes exhortation and prescription with descriptive material. Administrative institutions were viewed as discrete objects which could be imported upon demand, little attention being paid to the environmental factors which conditioned the development of an institution in its original home or to the limitations upon and possible effects of its introduction into a new environment.

At a later stage, students of comparative administration devoted themselves largely to describing the various systems—generally European, or at least Western—and to noting similarities and differences in respect to institutions and behavior.

The responsibilities and aspirations of occupation government in Germany, Japan, and elsewhere, the follow-through on economic and military foreign aid, and the development of technical assistance programs—especially in public administration—have all brought to the fore the problem of which ideas or institutions derived from American administrative experience may appropriately be transferred to other countries. Thus William C. Colman, in his "Civil Service Reform in Greece," *Public Personnel Review*, Vol. 10, pp. 86-93 (April, 1949), discusses some of the difficulties in this connection encountered by American advisers in Greece. The interdependence of administrative institutions and behavior with their cultural, economic, and political context has become apparent and has necessitated a revision of old working assumptions.

The contemporary outlook on comparative administration is also influenced by the injection of the new insights of the behavioral sciences into administrative theory. The question is raised whether "principles" of administration developed in the American context have any general validity or whether they merely describe administrative institutions and practices in one country. At the same time the separation of the study of administration from that of political processes has been challenged, decision making in the executive branch of our government has been subjected to intensive scrutiny, and many traditional conclusions of administrative theory have been questioned. All this has led to the notion that comparative analysis can be used to check the ideas and hypotheses derived from study of American public administration, furnish new insights

into the nature of administrative behavior, and assist in overcoming the ethnocentrism of much of the existing literature in this field.

Three recent studies give some idea of how much progress has been made and what needs to be done next. A subcommittee of the Committee on Public Administration of the American Political Science Association, under the chairmanship of Professor Walter Sharp of Yale University, gave some attention to this problem. The subcommittee's unpublished report to the Association in September, 1953 included a preliminary checklist of research areas and priorities, an outline of a suggested method of study of comparative administration, a discussion of a possible conceptual framework, and proposals for a pilot research project to initiate more intensive study in this field.

Another document showing current interests in comparative administration research is the report of a Conference on Comparative Administration convened by Public Administration Clearing House, Princeton, N.J., Sept. 12-14, 1952 (published as *Report of a Conference on Comparative Administration*). Annex VI of this report, a 10-page memorandum entitled "Samples of Foreign Publications on Comparative Administration," illustrates some of the main categories of material available for comparative study. Annex IX is a reprint of a "Report on Non-Government Research on Comparative Administration," by the Department of State, External Research Staff. This includes, in addition to an analysis of current research in the field, a list of research projects underway on administrative subjects in countries receiving Point Four aid.

A parallel line of inquiry is reflected in the article "Research in Comparative Politics," this REVIEW, Vol. 43, pp. 641-75 (Sept., 1953), which reports the findings of the Social Science Research Council Interuniversity Research Seminar on Comparative Politics held at Northwestern University in the summer of 1952. This report discusses some of the conceptual problems of conducting comparative studies of the whole range of political problems, including those of administration.

II. COMPARATIVE MATERIALS

In this review of the literature on comparative and foreign materials, the major bibliographical sources are listed, together with a number of individual works selected, for the most part, because they use a comparative approach or are not included in existing bibliographies. The sources cited relate mainly to administration at the national or central government level. Limitations of space dictate omission of references to the substantial body of comparative literature on local government and municipal administration. The listing of materials in English is more complete than that of materials in other languages, but samples of the foreign language material have been cited to give some idea of its extent and character.

Bibliographies. There are a few bibliographies on the literature available for the study of comparative administration. *A Short International Bibliography of Public Administration* (UN, Sales No. 1953. II. H.1) brings together titles on public administration from 24 countries in 8 languages and suggests the subject

matter of public administration through selective listing of representative current materials. A mimeographed 50-page list by Professor Lynton K. Caldwell entitled *Comparative Public Administration: An Outline of Topics and Readings* (Albany, New York, Graduate Program in Public Administration, 1953) lists literature, largely in English, on a variety of public service systems outside the United States. (This bibliography is now out of print.)

The U.S. Technical Cooperation Administration issued, in July, 1953, a mimeographed *Selected Bibliography for Public Administration Representatives* which, while it lists mainly American works on public administration, includes a section on "Comparative Administration and Public Administration in Individual Countries" and a valuable listing of materials under the heading "Technical Assistance in Public Administration." The latter may be supplemented by *Standards and Techniques of Public Administration with Special Reference to Technical Assistance for Underdeveloped Countries* (UN, TAA, Special Committee on Public Administration Problems, N.Y., 1951. Sales No. 1951. II. B.7). This is intended as a tool for practitioners in underdeveloped countries, but it includes some conceptual analysis based upon the thinking of an international team.

Bibliographical notes appear in many journals of political science and public administration, as in the section on Book Notes and Bibliography, "Foreign and Comparative Government," in this REVIEW. The *Revue Internationale des Sciences Administratives [RISA]* (Brussels, International Institute of Administrative Sciences, 1928-date) is a quarterly journal of international scope that has included bibliographical listings and comment. Its coverage is best on Western Europe and the United Kingdom, although other parts of the world are not completely neglected. Major categories include administrative law and organization, public service and fiscal administration, and program fields such as police administration, public health, social security, labor, and transport and communications. In the first years of publication materials were classified by country under each major subject heading. Later the subarrangement by country was abandoned, and since 1950 the comprehensive current bibliographies have been dropped from the *RISA*, although reviews and annotations of selected titles have been retained.

The International Institute commenced in 1953, on behalf of the United Nations and the U.S. Foreign Operations Administration, the publication of a bi-monthly bulletin called *Progress in Public Administration*, dealing especially with administration in the economically less-developed countries. It gives current bibliographical information. Useful also are *International Political Science Abstracts*, issued quarterly by the International Political Science Association with support from UNESCO (N.Y., Columbia University Press).

The *Statesman's Year-Book* (New York, St. Martin's Press, 1934-date) contains not only information about the government of every country in the world, but also a selected bibliography for each country section. These bibliographies generally include major public documents and reference works, and often cite other bibliographies concerning the country.

Some international bibliographies dealing with special subject fields are useful for comparative studies. An example is the *Selected List of Books, Pamphlets and Periodicals in English on Community Organization and Development* (UN, Doc. No. ST/SOA/Ser.0/5, March 1953). This bibliography includes descriptions of development and planning projects in non-Western as well as Western countries. The *Revue de l'Institut International de Statistique* (The Hague, 1933-, quarterly) includes a "Bibliographie statistique internationale" in each issue. Materials in the housing and planning field may be located through the *News Sheet* of the International Federation of Housing and Town Planning (The Hague). A list of works on federalism is given in E. Monpied and E. Zaleski, *Bibliographie fédéraliste* (Paris, l'Union, 1950). Information about other such specialized bibliographies may be obtained from Constance M. Winchell, *Guide to Reference Books* (Chicago, American Library Association, 1951).

American publications dealing with specialized fields frequently list works on foreign countries. For example, the U. S. Civil Service Commission Library issues a monthly annotated bibliography entitled *Personnel Literature* which includes a section on "Foreign Civil Service." Similar listings may be found in the journals and periodicals in many specialized fields.

Bibliographies listing works on administration in specific regions or countries are mentioned below in the sections dealing with the various geographic areas.

General Studies. The use of an analytical comparative method for public administration studies is still limited. There are some books of readings and collections of essays which treat administrative institutions in several countries. Often the introduction, and some comments in the body of the text, draw attention to similarities and differences among the administrative arrangements of the countries concerned, but the mere collection in one volume of descriptive essays about different systems cannot be considered a comparative method, although it provides a foundation for comparisons. A book such as *Administration: The Art and Science of Organization and Management*, ed. Albert Lepawsky (New York, Knopf, 1949), drawing as it does on a wide variety of sources, provides good material for comparative study.

Some of the books on politics and government have made use of a comparative method, and have included sections dealing with administrative problems. Examples are Herman Finer, *The Theory and Practice of Modern Government with Special Reference to Great Britain, France, Germany and the U.S.A.* (N.Y., Holt, 1949) and C. J. Friedrich, *Constitutional Government and Democracy* (Boston, Ginn, rev. ed., 1950).

An essay that illustrates some of the possible fruits of comparative study is S. E. Finer, "Patronage and the Public Service; Jeffersonian Bureaucracy and the British Tradition," *Public Administration* [London], Vol. 30, pp. 329-60 (Winter, 1950). This article, stimulated by a reading of Leonard D. White's *The Federalists* and *The Jeffersonians*, makes some provocative comparisons of the evolution of the patronage system in nineteenth-century Britain and in the United States.

Aspects of Administration. In the literature on the various aspects of admin-

istration, such as public personnel, finance and budgeting, and program planning and coordination, there are works which deal with the subject in different countries and at different times. Thus considerable descriptive material about foreign public personnel administration is available. A classic example of this approach is the book by Leonard D. White and others, *Civil Service Abroad: Great Britain, Canada, France, Germany* (New York, McGraw-Hill, 1935) and the earlier collection of public documents from 15 countries, edited by White, *The Civil Service in the Modern State* (Chicago, University of Chicago Press, 1930). *Reader in Bureaucracy*, ed. Robert K. Merton (Glencoe, Ill., Free Press, 1952), contains a collection of materials on different aspects of the civil service drawn from a variety of countries.

Historical accounts of civil service systems also provide background for comparative analysis, as for example Ernest Barker, *The Development of Public Services in Western Europe, 1660-1930* (London, Oxford, 1944); M. Cary, "The Civil Service in Ancient Civilizations," in *The Development of the Civil Service* (London, King, 1922); and J. H. Hofmeyer, "Civil Service in Ancient Times," *Public Administration* [London], Vol. 5, pp. 76-93 (Jan., 1927). In some general histories the civil service is given considerable attention, as for example in the *Cambridge Ancient History* (Cambridge, Cambridge University Press, 1923, 12 vols.).

Several contemporary civil service systems are discussed in *Report on the UN Seminar on Public Personnel Management* (UN, Doc. ST/TAA/Conf. 1/1, 31 Jan. 1952). This 236-page document contains statements by practicing administrators about the civil service in Pakistan, the Philippines, Israel, Denmark, Norway, and France in addition to general discussion by participants on various problems raised in papers by American experts. Much of the material prepared for this seminar, somewhat revised, appears in the July, 1951 issue of *Personnel Administration* (Washington, D.C., Society for Personnel Administration). Among essays comparing aspects of public service administration in two countries may be mentioned Leon D. Epstein, "Political Sterilization of Civil Servants: The United States and Great Britain," *Public Administration Review*, Vol. 10, pp. 281-90 (Autumn, 1950).

In the organization and management field, a series published by the International Institute of Administrative Sciences for the United Nations includes a survey of problems encountered by different governments in attempting to improve organization and management prepared by Thomas D. Kingdom, *Improvement of Organization and Management in Public Administration* (Brussels, 1951); and a study of the organizational setting of O & M offices by Arnold Miles, *Central O & M Offices; What They Do and Where They Are* (Brussels, 1951).

A study of the development of planning in European and American governments, sponsored by the Public Administration Clearing House, is Sir Henry N. Bunbury, *Governmental Planning Machinery: A Comparative Study* (Chicago, Public Administration Service, 1938). On regional plans, a comparative study carried out by the International Geographic Union, Commission for the Study

of Regional Planning, has been published as *L'aménagement de l'espace; planification régionale et géographique (en Italie, Belgique, Grande-Bretagne, Venezuela)* (Paris, Colin, 1952).

Public finance and budget and fiscal administration are the subjects of recent comparative studies. For example, *Budgetary Structure and Classification of Government Accounts* (UN, Doc. no. 1951, XVI.3, 1951), prepared by the U.N. Department of Economic Affairs, sets forth general ideas on "good practice" and adds an appendix in which the budget systems of four countries—Italy, Sweden, the U.S., and the U.S.S.R.—are described. A similar method is followed in *Government Accounting and Budget Execution* (UN, Doc. no. ST/ECA/16, 1952). There is also a useful report of an international conference, with materials on some ten countries, in the U.N. Fiscal Commission, *Report on the Technical Assistance Conference on Comparative Fiscal Administration* (UN, N.Y., Doc. no. E/CN.8/67, 5 Dec. 1952).

A comparative study by an international non-governmental organization is Institut International de Finances Publiques, *Le budget dans le cadre de l'économie nationale; L'évolution de la structure et de la technique budgétaire dans les différents pays* (Paris, Sirey, 1950). Other private studies are: Emanuele MorSELLI, "On the Historiography of Thought on Public Finance," *Public Finance*, Vol. 6, pp. 53–80 (1951); and F. Neumark, "National Types of Public Finance," *Öppnåre Financien* [Public Finance], Vol. 2, pp. 18–38 (1947). A study prepared for the New York State Tax Commission is J. Wilner Sundelson, *Budgetary Methods in National and State Governments* (Albany, 1938).

Substantive Fields. Though studies in substantive fields are generally concerned largely with technical problems, some deal with common aspects of administration. For social welfare administration, for example, the United Nations has conducted an extensive inquiry resulting in the publication of *Methods of Social Welfare Administration* (UN, Doc. no. 1950. IV.10, 1950). This document gives the replies from 30 countries to a questionnaire. The replies are followed by a brief summary. Subsequent studies dealing with special aspects of this subject are found in a series on *Social Services: Planning, Organization and Administration for Social Welfare*. These include *In-Service Training in Social Welfare* (UN, Doc. E/CN.5/261, 1952) and *Methods of Administering Assistance to the Needy* (UN, Doc. CE/CN.5/273, 1952).

In the educational field an older study by the International Bureau of Education is entitled *L'organisation de l'instruction publique dans 53 pays* (Geneva, 1931). A recent comparative study on the administration of economic development, an IIAS document, by Donald C. Stone and others, is entitled *National Organization for the Conduct of Economic Development Programs* (Brussels, IIAS, 1954). The material is arranged topically and the experience of different countries is used in the presentation.

The administration of foreign affairs and relations with international organizations has been of interest to UNESCO which, with the help of the International Institute of Administrative Sciences and the guidance of Walter R. Sharp, prepared a document entitled *National Administration and International*

Organization: A Comparative Study of Fourteen Countries (Brussels, IIAS, 1951). A similar study on the administrative problems of "newly independent countries" in the international field is now being conducted by UNESCO.

III. STUDIES OF ADMINISTRATION IN FOREIGN COUNTRIES

If comparative studies in public administration are to advance, much information about different administrative systems will be needed. The accumulation of such information is not in itself comparative research, but it provides the foundation for comparison. It may well be that before much significant comparative work can be done, many gaps in our knowledge of administrative systems will have to be filled. To discover what is already known and what the gaps are it is necessary to survey the available literature. The remainder of this article, therefore, seeks to provide keys to this literature. Where the literature is adequately covered in available bibliographies, these only are cited, and no effort is made to cover individual works. This applies to Europe, Latin America, and the English-speaking countries of the Commonwealth of Nations. For other areas (Asia, Africa, the Pacific and the Caribbean), a more complete listing is given. Available bibliographies are mentioned, however, and the listing of individual works is necessarily selective.

United Kingdom. The literature on public administration in the United Kingdom is perhaps the most highly developed outside the United States, and is certainly the most accessible to American students. The journal of the Institute of Public Administration, *Public Administration* (London, 1923-) is widely available in the United States. Its regular book notes provide a convenient index to British publications in this field. The English materials are particularly strong on certain topics—the civil service, local government, administration of nationalized industries, various substantive fields, administrative law, and the machinery of government in a parliamentary system; the English have not, however, developed certain types of literature that are popular here, notably the general textbook on public administration.

A general bibliography, entitled *Public Administration* (London, H.M.S.O., 1950), has been prepared by the Organization and Methods Division of the Treasury. Another list is M. Plan, "Public Administration: A Guide to British Publications" (*British Book News*, Feb., 1951, No. 126, pp. 83-90). A guide to research on public administration in progress in the United Kingdom is provided in the Institute of Public Administration's *Survey of Research in Progress in the Universities into Public Administration and Allied Fields* (London, I.P.A., 1951-). The major works on public administration in the United Kingdom are listed in the UN's *Short International Bibliography* (cited above) under the various topical headings. Caldwell's bibliography, *Comparative Public Administration* (cited above) gives an extensive list of works on the British Civil Service. A first-rate journal in the organization and methods field is the monthly *O&M Bulletin* published in London by H. M. Treasury, O&M Division.

Dominions, English-speaking. In the dominions, the Canadians have produced the most extensive literature on public administration. The Institute of

Public Administration of Canada (Philip T. Clark, Secretary, 256 Roxborough St., Toronto 5, Ontario) issues a *Newsletter* and has published the proceedings of its annual conferences since 1949. These volumes provide an introduction to the major personalities interested in public administration in Canada and afford glimpses of different aspects of Canadian administration. The Institute has also mimeographed a *Bibliography of Public Administration for Canadian Students*, prepared by Rodney Grey. This is a selective list but it includes the main works on Canadian administration. Useful also is Caldwell's bibliography (pp. 22-24). Another source is the *Canadian Journal of Economics and Political Science* (Toronto, Canadian Political Science Assn., 1935-).

The Australian regional groups of the Institute of Public Administration publish a journal, *Public Administration* (Sydney, 1938-), which should be consulted first by anyone studying Australian administration. Unfortunately this journal fails to give much bibliographical data and its book notes usually deal with foreign, especially British, rather than Australian materials. The Australian Public Service Commission also publishes a journal called *Public Service*.

The *New Zealand Journal of Public Administration* (Wellington, New Zealand Institute of Public Administration, 1938-), is the best source of bibliographic information for the study of this dominion's administration. The New Zealand Public Service Commission has also published since 1948 a monthly magazine, *Staff Training*, which has recently been combined with the *New Zealand O & M Review* to form a new publication, called *Public Service*.

For the Union of South Africa, the *Public Servant*, organ of the Public Servants' Association, Pretoria, is a convenient guide to the relatively sparse literature on public administration in the Union.

Western Europe: General. No general bibliography for Western Europe is available, although lists for individual countries have been published. The *Revue Internationale des Sciences Administratives* provides general documentation for the area. It is particularly strong for France, Germany, and Belgium, with fewer listings for other countries of the continent. The study of administrative law has been pursued with notable success and there is a large body of literature in this field. Works on public finance are particularly strong in Italy. The study of administrative practices, on a rather technical scientific management level, has resulted in a substantial body of literature. There is also a great deal of writing on constitutional systems and general governmental problems.

Two European journals of special value as guides to current literature are the *Bulletin d'Information Bibliographique et Documentaire Recherches* (Strasbourg, France, Council of Europe, Documentation Centre,) and the *Cahiers de Bruges*, published by the College of Europe at Bruges, Belgium.

Many of the works on comparative government give convenient bibliographic notes. One of the latest, *European Political Systems*, ed. Taylor Cole (New York, Knopf, 1953), includes unusually full bibliographies, often annotated, for the countries covered.

France. A comprehensive view of French literature in public administration may be obtained through the files of *La Revue Administrative* (Paris, Sirey), a

bimonthly independent journal which contains full bibliographical notes and substantive articles. This journal carries a regular column on foreign administration which sometimes has materials useful for comparative study. The major works on French administration are listed in the UN *Short International Bibliography* (cited above).

The French literature on the civil service is listed in H. Puget, *Bibliographie de la fonction publique et du personnel civil des administrations publiques* (Paris, Domat-Montchrestien, 1948). More recent studies are listed by Caldwell.

Germany. Since the Hitlerian and World War II interregnum, interest in public administration has revived. Among the journals that have reappeared since the war and which may be looked to for guidance in the German literature are: *Öffentliche Verwaltung* (Stuttgart, Kohlhammer, 1948-); *Der Städtetag* (Stuttgart, Kohlhammer, 1948-); and *Deutsches Verwaltungsblatt* (Berlin-Charlottenburg, Heymanns). Several German societies and institutes are now concerned with administrative problems. An example is the Deutsche Gesellschaft für Personalwesen, with headquarters in Frankfurt, organized in 1949. It has issued several monographs on various aspects of personnel administration in Germany, is publishing a series of studies of the public service in different countries, including France, Great Britain, Switzerland, Sweden, Norway, and the United States, and puts out a monthly newsletter called *DGP Informationen*. Caldwell and the UN list should also be consulted for German titles.

Scandinavia and Benelux. The Scandinavian Association for Public Administration's journal, *Nordisk Administrativ Tidsskrift* (Copenhagen), gives bibliographic information about current Scandinavian publications, emphasizing administrative law materials.

The Belgian and Dutch literature, also strongest on administrative law, is largely covered by the *Revue Internationale des Sciences Administratives*. A selective bibliography is included in Paul de Visscher, "The Study of Governmental Institutions in Belgium," *International Social Science Bulletin*, Vol. 2, pp. 40-46 (Spring, 1950). A recent mimeographed list of civil service materials by Edmond-Pierre Seeldrayers, editor of the *Revue Internationale* and a professor at the University of Brussels, is entitled "Bibliographie sur la fonction publique en Belgique" (Brussels, n.d.). A Belgian journal is the *Revue de l'Administration et du Droit Administratif de la Belgique* (Brussels, Dioncre).

Spain. An ambitious undertaking, begun in 1950, is the *Revista de Administración Pública*, published by the Institute de Estudios Políticos in Madrid. In addition to articles about Spanish administration, heavily weighted with legal materials, this journal includes bibliographic information about Spanish and Portuguese publications, as well as some references to Latin American materials.

U.S.S.R. The study of administrative institutions and behavior in the Soviet Union and countries under Communist party control presents peculiar difficulties. No effort is made to cover this field here. Professor John Hazard at Columbia University, who offers a course on Soviet administration in the pro-

gram of the Russian Institute, has compiled bibliographic data on both Russian and English language materials which he has included in syllabi and in published writings. "L'enseignement du Droit Administratif en U.R.S.S.," *Revue Internationale des Sciences Administratives*, Vol. 17, pp. 80-86 (1951), gives information about Soviet works on administrative law. The major text used in Russia appears to be I. I. Jewtichiew and W. A. Wlasow, *Administrative Law of the U.S.S.R.* [trans. title] (Moscow, 1946). A general discussion of the subject is contained in Merle Fainsod, "Recent Developments in Soviet Public Administration," *Journal of Politics*, Vol. 11, pp. 679-714 (Nov., 1949). Attention is called also to Fainsod's recent book, *How Russia is Ruled* (Cambridge, Mass., Harvard University Press, 1953), reviewed in this issue of this REVIEW (pp. 541-44). Part III, especially ch. 12, is important for Soviet administration.

Latin America. Three selected bibliographies on public administration in Latin America were mimeographed in 1953. One of them, UN Library, *Selected References in Public Administration in Latin America* (1952, 7 pp.) covers materials—particularly on administrative law—in Spanish, Portuguese, and English arranged by country. The other two lists were prepared by the Pan-American Union and by the Division of O & M of Puerto Rico, and were published by the Institute of Inter-American Affairs, Dept. of State, Washington D.C. Both have the title *Selected References on Public Administration in Latin America* and were issued in 1953. The administrative law materials are omitted from the Puerto Rican list, which is arranged topically. The PAU list gives Spanish works first, then Portuguese, both parts being subdivided by subject.

In Brazil the Departamento Administrativo do Serviço Público (DASP) publishes a monthly journal called *Revista do Serviço Público*. DASP is a prolific publisher of reports and monographs dealing with various aspects of Brazilian administration and the *Revista* usually includes, besides substantive articles, some bibliographical information, especially about Brazilian publications. Another Brazilian journal is the *Revista de Administração*, published by the Institute of Administration of the University of São Paulo.

It is expected that the new Brazilian Institute of Administration of the Gétúlio Vargas Foundation will shortly produce important contributions to the Latin American literature. A comprehensive program of publications intended as teaching aids and covering all major aspects of administration has been announced.

The Islamic World. No bibliography of public administration materials for any Islamic country yet exists. The Committee on Near Eastern Studies of the American Council of Learned Societies, however, has recently compiled a *Selected and Annotated Bibliography of Books and Periodicals in Western Languages dealing with the Near and Middle East*. . . (Washington, D.C., Middle East Institute, 1952). This includes references to some studies that provide background information on government and law.

The analysis of administrative institutions in classical and medieval times in the Middle East should illuminate by contrast contemporary administrative institutions. It is an ironic reversal of roles that when the Ottoman Empire was

at its height a European diplomatist, Ogier Ghiselin de Busbecq, after an extended tour of duty in the Sublime Porte, wrote a series of letters advocating that the merit system and training for public service, as practiced by the Turks, be substituted for the ineffective patronage systems which prevailed in Western Europe in his day. De Busbecq's *Turkish Letters* have appeared in many texts, the latest being the Oxford edition, 1927, with a translation by Edward S. Forster.

Some glimpses of Ottoman administration may be gleaned from Sari Mehmed Pasha, *Ottoman Statecraft: the Book of Counsel for Veziers and Governors* (English and Turkish texts, with an introduction by W. L. Wright, Jr., Princeton, Princeton University Press, 1935). A general view of the Ottoman system is presented in Albert H. Lybyer, *The Government of the Ottoman Empire in the Time of Suleiman the Magnificent* (Cambridge, Mass., Harvard University Press, 1913). More detailed information about the training system for Ottoman administrators is contained in Barnette Miller, *The Palace School of Muhammad the Conqueror* (Cambridge, Mass., Harvard University Press, 1941).

Details about the administration of other Islamic countries are less available. Information about Persian administration under the Safavids in the 18th century, however, may be found in the *Tadhkirat al-Muluk*, trans. V. Minorsky (London, Luzac and Co., 1943), a manual for administrators of the day.

On the contemporary scene, the School of Political Science in Ankara has published a series of monographs in Turkish dealing with various political problems. It also issues a review entitled *Siyasal Bilgiler Fakultesi Dergisi*. More recently the Public Administration Institute has been set up in Ankara with assistance from the United Nations. This Institute is establishing a research section which plans to prepare and publish studies of public administration in Turkey. The *Report of the Working Group on the Institute for Public Administration for Turkey and the Middle East* (UN, N.Y. Doc. no. ST/TAA/M.2, 10 June 1953) is of interest not only because of the specific plans proposed but also because of its analysis of Turkish training needs.

A Department of Public Administration has been established at the American University of Beirut, with aid from the U.S. Point Four program. It is expected that this Department will also sponsor the publication of studies of administration in the Middle East.

The literature in Western languages on administration in Arab countries is extremely sparse. Majid Khadduri published a pamphlet in Baghdad in 1944 entitled *Government in Iraq*. This material is now included in his book, *Independent Iraq* (London, Oxford University Press, 1951). A substantial work on Lebanese constitutional organization is Pierre Rondot, *Les Institutions Politiques du Liban* (Paris, Meisssonneuve 1947, published by the Institut d'étude de l'orient contemporain). For Egypt, an administrative law study is G. Watrin, *Le Conseil d'État Égyptien* (Paris, Conseil d'État, Études et Documents, 1948).

Two recent articles that shed some light on the problems of teaching public administration in the Middle East are Paul Beckett and Frederick Bent, "Let-

ters from Beirut," *Public Administration Review*, Vol. 13, pp. 1-11 (Winter, 1953), and R. Montagne, "The Teaching of Democracy in Islamic Countries," *Journal of African Administration*, Vol. 4, pp. 58-62 (April, 1952).

A discussion of administrative problems in the context of economic development is included, generally, in the reports of the International Bank for Reconstruction and Development. Two Islamic countries are included in this series: *The Economy of Turkey* (Baltimore, Johns Hopkins, 1951) and *The Economic Development of Iraq* (Baltimore, Johns Hopkins, 1952). In this connection see also James W. Martin and Frank C. E. Cush, *Administration of the Turkish Ministry of Finance* (Ankara, Ministry of Finance, 1951). Material on financial administration in some other Islamic countries may be found in U. N. Fiscal Division, *Public Finance Information Papers, Egypt* (UN, Sales No. 1951. XVI. 7), *Iran* (UN, Sales No. 1951. XVI. 4), and *Iraq* (UN, Sales No. 1951. XVI. 6).

Israel. A quarterly journal in Hebrew dealing with public administration is *Haminhal*, published by the Israel Institute of Public Administration in Tel Aviv and edited by The Hon. Edwin Samuel. Much of this journal deals with principles of administration based on foreign experience, but a few articles deal with administrative problems in Israel.

An annual *Government Yearbook* in English (Jerusalem, Government Printers) gives information about the activities of all official agencies, as well as material relevant for administrative analysis, such as statistics on government employees. A general evaluation of the work of the government, including appraisals of organization and methods, is contained in the *Annual Report* of the Comptroller General (in Hebrew). Parts of Vol. 3 (Jerusalem, Tevet, 5713, December, 1952), dealing particularly with questions of control, audit, local government, corporations, and the O & M Unit in the Comptroller's office, have been translated into English. The first two volumes have not been made available for public sale. The annual reports of the Civil Service Commission, in Hebrew, give information on problems of personnel.

A general description of the Israeli government, in Hebrew, with much attention to constitutional problems, is Yehoshua Freudenheim, *Hashilton Bimedinat Israel* [*Government in the State of Israel*] (Jerusalem, Rubin Mass, 1953). The first discussion of administrative law in Israel is a lecture by Z. Silbiger in a volume of papers published by the Training Division of the Civil Service Commission, *Sidrei Shilton Umishpat Be-Israel* [*Government and Law in Israel*] (Jerusalem, 1953). The first Hebrew textbook in public administration, by Benjamin Akzin, Dean of the Law School and Chairman of the Department of Government of the Hebrew University, is called *Ikkarei Haminhal Hatziburi* [*Principles of Public Administration*] (Tel Aviv, Dirr, 1952). This work outlines the traditional principles of administration, and gives a few examples from Israeli experience. Another general work is Edwin Samuel's *The Theory of Administration* (Jerusalem, Rubin Mass, 1947).

A few short articles have appeared dealing with specific phases of administration. Edwin Samuel is the author of "The Administrative Problems of a New State—Israel, 1948-51," *Public Administration Review*, Vol. 11, pp. 229-32

(Autumn, 1951) and "Israel's Administrative Problems," *Zionist Quarterly*, Vol. 1 (Winter, 1952). Another article, by Sidney Mailik, is "Organization for Personnel Management in Israel," *Public Personnel Review*, Vol. 13, pp. 28-35 (Jan., 1952). A description of the work of the Institute of Public Administration in Israel by M. Hacohen appears in the report of the UN Seminar on Personnel Administration, pp. 187-90, and is expanded in "The Institute of Public Administration in Israel," *Personnel Administration*, July, 1951, pp. 31-37. A recent advisory report, under F.O.A. auspices, is John Corcoran, *A Program for Strengthening Public Administration in Israel* (Chicago, Public Administration Service, 1953). A *Report on Training of the Civil Service of Israel* (UN, Sales No. 1953.II.H.&.) was prepared by O. E. Ault of the Canadian Civil Service Commission, who visited Israel as an adviser on civil service problems under the auspices of the UN Technical Assistance Administration.

India. The study of Indian administration in ancient and medieval times should bring into sharp relief some of the variations in public administration that may be attributed to cultural differences. An ancient Indian work, about the third century, B.C., is Kautilya's *Arthashastra*, trans. R. Shamasastry (Mysore, Raghuvier, 4th ed., 1951). This volume of advice to kings covers a wide range of topics, such as appointment of officials, establishment of espionage, taxation, arbitration of boundary disputes, city planning, methods of diplomacy and war, treatment of conquered territories, and feudatory relationships. A modern Indian commentary is Pramathanath Banerjea, *Public Administration in Ancient India* (London, Macmillan, 1916).

I. H. Qureshi, *The Administration of the Sultanate of Delhi* (Lahore, Sh. Muhammad Ashraf, 1942) describes administration in a pre-Mogul dynasty (about the 15th century). A detailed study of Mogul policy (16th-18th centuries) is given by Sir Jadunath Sarkar, *Mughal Administration*, 3d ed. (Calcutta, M.C. Sarkar and Sons, Ltd., 1935 [London, 1942]).

A comprehensive view of the British administrative system in India, with special attention to the development and effect of the Indian Civil Service, is Sir Percival Griffiths, *The British Impact on India* (London, McDonald, 1952). This work also includes an historical retrospect of Hindu and Mogul administration, with bibliographic notes. A great deal of useful background information is found in various books on Indian history, perhaps the most complete being the *Cambridge History of India* (New York, Macmillan, 6 vols., 1922, especially Vol. 6, Chs. 11-22). An account of the operations of the East India Company is contained in Holden Furber, *John Company at Work* (Cambridge, Harvard University Press, 1948). A. N. Keith's *Constitutional History of India* (London, Methuen, 1936) describes Indian governmental institutions under British rule.

An Indian view of administration in the British period is M. Ruthnaswamy's *Some Influences That Made the British Administrative System in India* (London, Luzac, 1939). A highly regarded account dealing with the British period, by an influential Indian political scientist, is Angadipuram Appadorai, *Dyarchy in Practice* (London, Longmans Green, 1937).

There are several "standard" books on the civil service, notably Sir Edward

Arthur Blunt, *The Indian Civil Service* (London, Faber and Faber, 1937) and L. S. S. O'Malley, *The Indian Civil Service, 1601-1930* (London, J. Murray, 1931). To balance these British interpretations, one might consult H. W. Kunzru, *The Public Services in India* (Allahabad, Servants of India Society, 1917).

For contemporary India there are several texts which survey the whole field of public law and government and include some information about administration. One of the best of these is R. C. Jain, *Indian Administration* (Delhi, Chand, 1951). This work contains less constitutional narrative than most of these books and includes chapters on such topics as "Village Government and its Organization," "District Administration," "Local Self-Government," "Public Finance—Central and States," and "Administrative, Defense and Foreign Services." Other books in this category include M. R. Palande, *Introduction to Indian Administration* (Bombay, Oxford University Press, 5th ed., 1951); G. N. Joshi, *The Constitution of India* (London, Macmillan, 1950) and *Indian Administration* (London, Macmillan, 1937); and Akshyal Ghose's older work, *Public Administration in India* (Calcutta, University of Calcutta Press, 1930).

More specific discussion of administrative problems is provided in Government of India, Planning Commission, "Administration and Public Cooperation," Part II of *The First Five Year Plan* (Delhi, Government of India, 1952). This public document is of major importance as a reflection of serious governmental thinking about administrative problems. Among the preparatory documents for the Planning Commission is a report by A. D. Gorwala, I.C.S., ret., entitled *Report on Public Administration* (Delhi, Manager of Publications, 1951), which makes various recommendations concerning ways to strengthen Indian administration. A more comprehensive study by Gorwala entitled *Public Administration in India* has been prepared for publication by the Indian Council of World Affairs. Gorwala is also the author of an insightful pamphlet for the Gokhale Institute of Politics and Economics entitled *The Role of the Administrator; Past, Present and Future* (Poona, 1952). An American interpretation of the Indian administrative scene is Paul Appleby's *Public Administration in India; Report of a Survey* (Delhi, Manager of Publications, 1953).

Several administrative inquiry commissions at the provincial level have turned in reports of interest to the student of comparative administration. One of these was by the Bengal Administration Enquiry Committee in 1944, known as the Rowlands Report. This report is now almost impossible to obtain, but a summary of it was published in *O & M Bulletin* (London, Treasury, Vol. 3, June, Aug., and Oct., 1948). Other provincial reports include Madras, *Outline of Administration* (Madras, Government of Madras, 1949), and the report of the Bombay Administrative Committee Inquiry.

The work of the Indian Planning Commission has stimulated Indian interest in problems of economic development administration. Among the documents of the Planning Commission is a report by K. T. Shah, *National Planning, Principles and Administration* (Bombay, Vora, 1948), which contains a section (pp. 119-52) on "Administrative Organization of the Plan" and, as Appendix I, a "Schematic Chart of the Administrative Machinery."

Administrative problems have also been considered within the framework of other development plans. An example is the Indian proposals for the Colombo Plan conference, India, Ministry of Finance, *Six Year Development Plan of the Union of India, 1951-57, as Submitted to the Commonwealth Consultative Committee at the London Conference* (Delhi, Government Printing Department, 1950), which contains, as Chapter IV, an essay on "Administrative Machinery for Planning." An Indian commentary on the general problems of development planning is N. V. Sovani, *Planning of Post-war Economic Development in India* (Poona, Gokhale Institute, 1951). Gorwala has also published a *Report on the Efficient Conduct of State Enterprises* for the Planning Commission (Delhi, Manager of Publications, 1951). An American commentary is contained in three lectures by Merrill R. Goodall, *Administration and Planning for Economic Development* (Delhi, Ranjit, 1952).

Other studies of development problems which give some attention to administration are C. N. Vakil and P. R. Brahmananda, *Planning for a Shortage Economy: The Indian Experiment* (Bombay, Vora, 1952), and B. Singh, *Federal Finance and Underdeveloped Economy* (Bombay, Hind Kitabs, 1952). The Community Projects Administration of the Government of India publishes a journal, *Kurekshetra*, containing information and exhortation for Development Officers, which indirectly reveals the Administration's plans and its view of its function.

Representative of the literature on administrative problems in river valley development is S. C. Bose, *The Damodar Valley Project* (Calcutta, Phoenix Press, 1948). Sudhir Sen, Secretary of the Damodar Valley Corporation, has written several articles about the work of the D.V.C., in which comparisons with the T.V.A. are frequent. Recently he has launched a series of articles on the subject, "We Need More River Valley Authorities in India" the first of which, on the topic "TVA Shows the Way," appeared in the 1953 annual number of the *Indian Journal of Power and River Valley Development* (Calcutta, 6, Waterloo Street).

Some information on finance administration may be obtained from UN, Fiscal Division, Public Finance Survey, *India* (UN, Sales No. 1952, XVI, 1).

Sukumar Basu in "The Public Service Commission in India," *Public Administration* [London], Vol. 31, pp. 81-84 (Spring, 1953), describes one of the important programs to deal with civil service problems. The Union Public Service Commission, all of the Part "A" State Commissions, and some of the Part "B" State Commissions publish annual reports. Information on a training program for new recruits to the Administrative Service is given in M. J. Desai, *Indian Administrative Service Training School* (Delhi, Ministry of Home Affairs, 1948); and information about instruction and research in public administration in the universities is contained in S. V. Kogekar and A. Appadorai, *The Teaching of Political Science in India* (New Delhi, Indian Council on World Affairs, 1953).

Among current Indian periodicals particular mention should be made of the *Indian Journal of Political Science*, published by the Indian Political Science Association. The May-June, 1953 issue contains an essay by Professor Kogekar on administrative problems in India, and the July-September number contains

several articles on this subject, including A. K. Ghosal's "Some Administrative Problems under Planning," and M. Venkatarangaiya's "The Pattern of Public Administration in the Five-Year Plan." *The India Quarterly*, published by the Indian Council on World Affairs, runs occasional articles on administration and has a book review section. Among other periodicals, special mention should be made of *The Eastern Economist*, published in New Delhi and edited by Eric da Costa, which often comments on administrative developments. Its "Special Independence Number," published in August, 1953, contains a section on "Public Administration since Independence" (pp. 263-68). On economic administration see also the monthly *Reserve Bank Chronicle* (Bombay).

Pakistan, Ceylon, and Burma. Relatively little is available on public administration in Pakistan, Ceylon, and Burma. Richard Symond, *The Making of Pakistan* (London, Faber and Faber, 1950), contains some information about administration. S. Osman Ali presented some "Notes on the Civil Service of Pakistan," to the UN Public Personnel Seminar (St/TAA/conf. 1/1, pp. 191-96). Two public documents that provide some useful background information are *O & M in Pakistan* (Karachi, Cabinet Secretariat, 1952, 18 pp.) and *Administrative Directory of the Government of Pakistan* (Karachi, 1951), a compendium of information about the various departments of government and their work.

In Ceylon a regional group of the Institute of Public Administration has been formed and has published an annual *Journal of Public Administration* since 1950. *Public Administration in Ceylon*, by Sir Charles Collins (London, Royal Institute of International Affairs, 1951), is a history of constitutional arrangements in Ceylon during the period of British rule, but also provides an introduction for anyone making a study of administration in Ceylon. One of the International Bank reports deals with Ceylon and should be consulted for information about problems of economic development administration: *The Economic Development of Ceylon* (Baltimore, Johns Hopkins, 1953). A Ceylonese public document is the *Report of the Commission on the Organization, Staffing and Operative Methods of Government Departments* (Colombo, Government Press, 1948).

For Burma, a useful, although scarce, document is the *Interim Report* of the Administration Reorganization Committee (Rangoon, 1949). The Committee has submitted a final report, not yet published. F. S. V. Donnison has contributed a volume to the Royal Institute series entitled *Public Administration in Burma* (London, 1953), which lays a foundation for subsequent study of Burmese administration. Keen analyses of colonial administration and policy in Burma under British rule are provided in the books of J. S. Furnivall. His *Colonial Policy and Practice* (Cambridge, Eng., Cambridge University Press, 1948) is probably the best place to begin.

Southeast Asia. *Southeast Asia; An Annotated Bibliography of Selected Reference Sources* (Washington, D.C., Library of Congress, 1952), compiled by Cecil Hobbs, provides a convenient index to the literature on Southeast Asia, including available material on government and general political background. Little has been produced, however, dealing specifically with public administration.

The Royal Institute series on public administration provide a useful beginning point for certain countries, although these works give more attention to general governmental organization and public law than to public administration as the term is used in the United States. They include W. D. Reeve, *Public Administration in Siam* (London, R.I.I.A., 1951); S. Jones, *Public Administration in Malaya* (London, R.I.I.A., 1953); and Sir Charles Collins, *Public Administration in Hong Kong* (London, R.I.I.A., 1953). J. S. Furnivall's *Colonial Policy and Practice* (cited above) covers—in addition to Burma—the Dutch East Indies; and his *Netherlands India: a Study of Plural Economy* (Cambridge, Eng., Cambridge University Press, 1939), provides more detailed information on Indonesia under Dutch administration. Also of interest for the student of Dutch Indonesian administration are the works of Hubertus J. van Mook, former Lt. Governor of the Dutch East Indies and currently Director of the Public Administration Division of the UN's Technical Assistance Administration. Especially valuable are his *Indonesia and the World* (Amsterdam, Bezige Bij, 1949) and *Mistakes of Democracy in Southeast Asia* (New York, W. W. Norton, 1950).

Some observations on administrative problems in Thailand are contained in a mimeographed report by two technical assistance experts: Lyman S. Moore and Edmond F. Ricketts, *A Program for Strengthening Public Administration in the Kingdom of Thailand* (Washington, M.S.A., 1952). A comprehensive study of colonial administration in Malaya and Indonesia is provided by Rupert Emerson in *Malaysia, a Study in Direct and Indirect Rule* (N.Y., Macmillan, 1937). Additional information about Malayan government is contained in an article by Charles Gamba, "Government in Malaya," *Public Administration* [Australia], Vol. 12, pp. 27-41 (March, 1953). The administration of Singapore is reviewed in K. J. O'Dell, "Municipal Administration in Singapore," *Public Administration* [England], Vol. 24, pp. 22-30 (Spring, 1946). A survey of the city's government with recommendations for improvement is given in the report by L. C. Hill entitled *Report on the Reform of Local Government in Singapore* (Singapore, Government Publications Bureau, 1952).

For the Philippines, a guide to the available literature on public administration is available in the form of a 53-page mimeographed document prepared by Araceli Andaya for the Institute of Public Administration, University of the Philippines, entitled *An Annotated Bibliography on Philippine Public Administration* (Manila, 1953). Since copies of this document may be obtained by writing to the Institute, it is unnecessary to list Philippine materials in this space.

Two ECAFE studies on the region are *Statistical Organization and Activities in Countries of Asia and the Far East* (ECAFE, Doc. E/CN.11/322, 1951) and *Structure of Industrial Organization in the Public Sector* (ECAFE, doc. E/CN.11/I&T/51, 1951).

China. Chinese language materials provide a vast storehouse of information about administration. E. A. Kracke, Jr., *Civil Service in Early Sung China, 960-1067* (Cambridge, Harvard University Press, 1953) is an example of what can be accomplished by analysis of these materials. S. Y. Teng and Knight Big-

gerstaff, *An Annotated Bibliography of Selected Chinese Reference Works* (Cambridge, Mass., Harvard University Press, rev. ed., 1950), describes many Chinese classical materials that might be used for this kind of research.

Some modern Chinese authors have already attempted to describe the administrative systems of classical times. These works are in Chinese, but the titles are given here in translation: Chen Ku-yuan, *A History of Chinese Administrative Systems* (Shanghai, Commercial Press); Ting Yuan-Pu, *A History of Chinese Administrative Systems* (Shanghai, Commercial Press); Kao Yi-Han, *A Brief History of the Chinese Cabinet System* (Shanghai, Commercial Press); Kao Yi-Han, *A Brief History of the Chinese Impeachment System* (Shanghai, Commercial Press); and Teng Ting-Jen, *A Study of the Chinese Examination System* (Shanghai, Ming-tze Press).

A few ancient Chinese writers have been recognized through English translations. Notable among these is the 11th century statesman whose works are translated by H. R. Williamson in *Wang An-Shih, A Chinese Statesman and Educationalist of the Sung Dynasty* (London, Probsthain, 1935). Wang An-Shih was an advocate of administrative regularization, civil service reform, and improved fiscal procedures. His administrative theories are reported to have influenced Henry Wallace when he was Secretary of Agriculture. A biography of Wang An-Shih's rival, Su Tung-Po, is contained in Lin Yu-Tang, *The Gay Genius* (New York, John Day Co., 1947). *The Complete Works of Han Fei-Tzu; A Classic of Chinese Legalism* (3rd century B.C.), translated from the Chinese by W. K. Liao (London, Probsthain, 1939), and the later (3rd century, A.D.) *Jen wu chih* of Liu Shao, translated by J. K. Shryock as *The Study of Human Abilities* (New Haven, American Oriental Society, 1937), contain advice to rulers on administration and the conduct of public affairs.

During the period of Nationalist Government rule in China a substantial volume of literature on modern public administration began to appear. Some of the main works in Chinese (again listed by English translation of their titles) are Chang Chin-Chien, *Theories and Practices of Public Administration* (Shanghai, Commercial Press, 1935); Pai Peng-fei, *A Study of Administrative Law* (Shanghai, Commercial Press, 1937); and a compilation of materials by the Ta-Tung Press, Shanghai, entitled *A History of the Development of the Chinese Administrative System* (1943).

In the field of personnel administration there is another book by Chang Chin-Chien, *Public Personnel Administration* (Shanghai, Commercial Press, 1939), and a more recent book by Wang Shih-Hsien, *Personnel Administration* (Shanghai, Commercial Press, 1943). A comparative study by Hsueh Po-Kang is *Chinese and American Public Personnel Administration* (Shanghai, Commercial Press, 1937). In the field of financial administration, a pioneer work is Tan Pin, *A Study of the State Treasury System* (Shanghai, Min-Tze Press, 1929), followed by Wu Kwan-Yin, *Chinese Budget System* (Chien-Hwa Press, 1932), Hu Shan-Hen, *Financial Administration* (Shanghai, Commercial Press, 1935), and, most recently, Ma Ta-Yin, *Chinese Financial Administration* (Cheng-Chung Press,

1947). On provincial administration there is Shih Yang-Cheng, *Chinese Provincial Administrative System* (Shanghai, Commercial Press, 1947).

A Chinese Association of Personnel Administration published a monthly journal in Shanghai before the war, and a revived society in this field now issues a quarterly in Taipei. The Department of the Interior in Nanking formerly issued a *Journal of Administrative Efficiency*, and the Executive Yuan published a *Journal of Public Administration* in Nanking.

Apart from the works dealing specifically with public administration, there is a large storehouse of Chinese materials from the study of which a great deal of information about Chinese administration could be obtained. Many of these works are listed in John K. Fairbank and Liu Kwang-Ching, *Modern China: A Bibliographical Guide to Chinese Works, 1898-1937* (Cambridge, Mass., Harvard University Press, 1950). A few examples, cited here by code number from the Fairbank bibliography, illustrate the kinds of Chinese language material available. The *National Government Year Book* (No. 1.4.5, Chungking, 1944) gives detailed information about the structure of executive agencies. One third of the book describes city and provincial governments. Ch'en Chih-mai, *The Chinese Government* (Doc. 3.1.1, Chungking, 1944), by a professor who had worked in the Executive Yuan, describes the organization and functioning of the Kuomintang and of each of the five Yuan. A forerunner of modern exchange of persons programs is described in the *Diary of a Diplomatic Mission to Nine Countries*, by Tsai Hung-tz'u (Doc. 4.2.8, Peking, 1907). In this volume the author, President of the Board of Ceremonies, records his trip "to investigate the governments of various countries." He concludes that there are some good points in Western administration, and carefully lists the agencies visited, including the "Yamen of the Board of Revenue" in Washington, D.C. Huang Hsu-wan, *A General Survey of the Maritime Customs Service* (Doc. 6.12.1, Peking, 1917) is a comprehensive description of the history and work of the Customs Service and its internal organization. It is worthy of study as an early example of the injection of Western administrative ideas into Chinese administration. Chang Chi-hsin, *Outline of Chinese Educational Administration* (Doc. 7.6.7, Shanghai, 1934) is an extended history, comparing Chinese and Western theories and practices and reviewing changes in central and local educational administration since the late Manchu period. *Descriptions of Financial Administration*, published by the Ministry of Finance, Peking (Doc. 6.11.2), is a series of volumes, each one covering one province and giving detailed information about the operation of the fiscal system in the late Manchu period, including many details about corruption and irregularities.

Turning to the very recent period, since the evacuation of the Nationalist Government to Taiwan, one finds that already several works on public administration have been published in Taipei in the Chinese language. These include Chang Chin-Chien, *Public Administration* (Cheng-Chung Press, 1952); Tso Lu-Sheng, *Public Administration* (First Press, 1953); and Lin Chi-Tung, *A Study of Chinese Administrative Law* (Cheng-Chung Press, 1952).

It is striking that despite this extensive output of Chinese materials relatively little has been written in Western languages on Chinese administration. Chien Tuan-Cheng's *The Government and Politics of China* (Cambridge, Harvard University Press, 1950) provides the best general introduction to Chinese governmental institutions and problems during the period of Nationalist rule; with introductory chapters on the history of traditional Chinese administration.

Although not dealing with administration as such, the monthly mimeographed journal of the U. S. Mutual Security Agency mission to China, *Chinese-American Economic Cooperation* (Taipei, 1952-) contains, *inter alia*, some interesting sidelights on Chinese administration.

Japan. Basic bibliographic information is supplied by Robert E. Ward, *A Guide to Japanese Reference and Research Materials in the Field of Political Science* (Ann Arbor, University of Michigan, Center for Japanese Studies, 1950). Sections XV and XXII deal with "Administrative Law" and "Public Servants," respectively. His "A Survey of Political Science Literature on Japan," this REVIEW, Vol. 46, pp. 201-13 (March, 1952) contains a brief section on public administration.

A convenient guide in English to the literature on public administration in Japan is provided by Kiyooki Tsuji, "The Science of Public Administration," in *The Japan Science Review*, "Law and Politics," No. 1, pp. 79-83 (1950). Among the recent studies in Japanese mentioned in this article are Shigeo Yoshitomi, *Principles of Administrative Organization* (1939), *Reform of Administrative Organization* (1941), and *The Practical Character of Politics* (1948); Masatoshi Nagahama, *Problems in the Public Election of Local Governors* (1947); Royama, Nagahama, Yanase, Sugai, and Tsuji, *Studies of the Civil Service System in Several States* (1948); and Kiyooki Tsuji, *The Bureaucracy in the Japanese Government* (1952).

In 1952, a Public Service Training Council was established to help training centers in government agencies, both national and local, improve their work. The Council has organized conferences at which papers on various aspects of administration were delivered. It publishes a monthly *Newsletter* and has announced plans for publication of a quarterly journal.

A Japanese Society for Public Administration, the Nihon Gyosei Gakkai, was formed in 1950 under the leadership of Professor Masamichi Royama, but has not yet commenced publication of a journal. The journal of the Political Science Association in Tokyo University, *Kokka Gakkai Zasshi* [Journal of the Society for the Science of the State], established in 1948, is probably the best general source for information on current public administration.

In the personnel field the National Personnel Authority has issued annual reports in English. Other English language materials are Shirven and Speicher, "Reform of Japanese Administration," *Personnel Administration*, July, 1951; Hugh H. MacDonald and Milton J. Esman, "The Japanese Civil Service," *Public Personnel Review*, Vol. 7, pp. 213-24 (Oct., 1946); Foster B. Roser, "Establishing a Modern Merit System in Japan," *Public Personnel Review*, Vol. 11, pp. 199-206 (Oct., 1950); and Earle A. Cleveland, "Civil Service in Okinawa," *Pub-*

lic Personnel Review, Vol. 11, pp. 69-77 (April, 1950). An older review of the Japanese civil service is S. T. Takeuchi, "The Japanese Civil Service," in *The Civil Service in the Modern State* (cited above), pp. 513-55.

In the field of administrative organization, the Japanese "Hoover Commission" *Report on Reform of the Administrative System* [in Japanese](Tokyo, 1951) proposed changes to accompany the transition from occupation status to full independence. An English-language survey of the reorganization carried out in accord with this report's recommendations, together with bibliographical information, is given by Ardath W. Burks in "A Note on the Emerging Administrative Structure of the Post-treaty Japanese National Government," *Occasional Papers*, Center for Japanese Studies, no. 3, pp. 47-58 (Ann Arbor, Mich., University of Mich. Press, 1952).

For earlier comment see also Milton J. Esman, "Japanese Administration—A Comparative View," *Public Administration Review*, Vol. 7, pp. 100-12 (1947); and Richard G. Brown, *Recent Developments in Japanese Civil Service* (Evanston, Ill., The Author, 1950).

Korea. Information about literature dealing with Korean administration is not now available. However, the Institute of East Asiatic Studies at the University of California is preparing *A Guide to Korean Studies* which may be expected to include a comprehensive listing of existing materials relating to Korean government and administration.

Africa. The most convenient key to available literature on Africa is *Introduction to Africa: A Selective Guide to Background Reading*, prepared by the Library of Congress (Washington, D.C., University Press, 1952). Anyone planning to study administrative problems in the continent ought also to make use of *Continuing Sources for Research on Africa* (Washington, D.C., Library of Congress, 1952), a list of societies and institutes, and official agencies with the titles of their journals, reports, etc. For East Africa some useful sources can be found listed in Roland Young and J. Gus Liebenow, Jr., "Survey of Background Material for the Study of the Government of East Africa," this *REVIEW*, Vol. 48, pp. 187-203 (March, 1954).

In the periodical field the *Journal of African Administration* (London, Colonial Office, 1949-) is an invaluable source of information and bibliographic references for British Africa. Margery F. Perham, *Colonial Government: Annotated Reading List on British Colonial Government, with Some General and Comparative Material on Foreign Empires* (London, Oxford University Press, 1950) is a good supplement to the Library of Congress bibliography. The quarterly *Colonial Review* (University of London, Colonial Dept.) contains abstracts and summaries of the best current literature on colonial problems.

For French Africa a general guide is the *Encyclopedie coloniale et maritime* (Paris, Guieysse), which issues monthly supplements on all aspects of colonial life. For Belgian Africa the leading journal is *Zaire, revue congolaise* (Brussels, Editions Universitaires), which gives extensive bibliographical information.

The literature on colonial administration is extensive. Caldwell lists the main works on pp. 42-44. *Principles and Methods of Colonial Administration*, ed.

C. M. MacInnes (London, Colston Papers, Butterworths Scientific Publications, 1950), provides a convenient introduction to the policies of the different colonial powers. Another general study is J. de Almada, *Colonial Administration by European Powers* (London, Royal Institute of International Affairs, 1947).

For background information the student should make use of Lord Hailey's *An African Survey* (London, Oxford University Press, 1938) and, for more specific material on British Africa, his *Native Administration in the British African Territories* (London, H.M.S.O., 1950). A series of portraits of African administrative institutions may be found in the anthropological case studies in *African Political Systems*, eds. Meyer Fortes and E. E. Evans-Pritchard (London, Oxford, 1940).

There are several studies of civil service problems in Africa, especially relating to the development of native personnel. The *Report of the Commission on the Civil Service of the Gold Coast, 1950-51* (Accra, Government Printing Dept., 1951) is a comprehensive survey, with recommendations to strengthen personnel administration and the Africanization program. W. J. Haimes, *Report on Whitley Councils* (Nairobi, Government Printer, 1950), gives attention to another aspect of public service administration, taking into account the problems of an interracial society. Another study is L. C. Hill, *Report on the Civil Service in Kenya* (Nairobi, the Secretariat, 1945). A survey of educational problems and administration—an important factor in the development of native personnel—is *African Education: A Study of Educational Policy and Practice in British Tropical Africa* (Oxford, Nuffield Foundation and the Colonial Office, 1953).

The French and Belgian materials on Africa give more attention to general organizational and legal problems. Two studies are M. Merlo, *L'Organisation Administrative de l'Algerie* (Algiers, Ferraris, 1951); and Georges Surdon, *La France en Afrique du Nord* (Algiers, 1946). The latter is a comprehensive treatment of Islamic theories on the organization of government, and a description of the structure and functioning of government in North Africa under French rule. A scholarly survey of the legal and administrative organization of the French regime in North Africa is Herbert Liebesny, *The Government of French North Africa* (Philadelphia, University of Pennsylvania Press, 1943). A Belgian work is R. Delvaux, *L'Organisation Administrative du Congo Belge* (Antwerp, Edition Zaire, 1945).

Little work has been done on Ethiopian administration, but a recent technical assistance advisory report is G. M. Morris, *Report on the Organization and Administration of the Ministry of Education and Fine Arts, Imperial Ethiopian Government* (Washington, D.C., F.A.O., 1953).

Pacific Islands. A bibliography that includes some references of value for the study of Pacific Islands administration is *Non-Self-Governing Areas with Special Emphasis on Mandates and Trusteeships*, comp. Helen F. Conover (Washington, Library of Congress, 1947). A notable contribution to this field is made by *South Pacific*, the bimonthly journal of the Australian School of Pacific Administration.

A monograph covering government and reconstruction in New Caledonia, the New Hebrides, and the British Solomon Islands is Cyril S. Belshaw, *Island Administration in the South West Pacific* (London, Royal Institute of International Affairs, 1950). J. W. Davidson gives some general observations on Pacific Islands administration in "The Changing Political Role of Pacific Islands Peoples," *Journal of Public Administration* [N.Z.], Vol. 14, pp. 46-57 (Sept., 1951) and "The Administrative Consequences of Modern Colonial Policies," *Ibid.*, Vol. 15, pp. 32-36 (Sept., 1952). Another study is the *Report of the Commission to Inquire into and Report upon the Organization of District and Village Government in Western Samoa* (Wellington, 1951).

Problems of administration in the American Pacific territories are discussed in the management surveys conducted by the Department of the Interior preparatory to assumption of civilian control. The studies of the Trust Territory, in two volumes, and of American Samoa, in one volume, were published in 1951. On the same subject, see also Emil J. Sady, "Department of the Interior and Pacific Island Administration," *Public Administration Review*, Vol. 10, pp. 13-19 (Winter, 1950). For general background see Rupert Emerson and others, *America's Pacific Dependencies* (New York, Institute of Pacific Relations, 1949).

Valuable information on administrative conditions in the Trust Territories will be found in the reports of the Visiting Missions of the UN Trusteeship Council, as well as in the reports of the Administering Powers. The reports on non-self-governing territories under Article 73 (e) of the UN Charter do not contain "political" information in most cases; hence they are of limited use for administrative study, though they do contain important background information on economic, social, and educational matters.

The Caribbean. Information about administration in the non-Spanish speaking Caribbean is quite scarce. *The Caribbean Commission: Monthly Information Bulletin* (Kent House, Port-of-Spain, Trinidad) gives occasional bits of information on administrative subjects, and some bibliographical notes.

Mission to Haiti: the Report of the UN Mission of Technical Assistance to the Republic of Haiti (UN, doc. 1949. 11B.2, 1949) provides, in the setting of an overall survey, some information about administrative problems, especially in the field of public finance.

Data about problems of economic development administration in two countries of the area may be found in the I.B.R.D.'s *Report on Surinam* (Baltimore, Johns Hopkins, 1952) and *The Economic Development of Jamaica* (Baltimore, Johns Hopkins, 1952).

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BOOK REVIEWS

Natural Right and History. BY LEO STRAUSS. (Chicago: University of Chicago Press. 1953. Pp. x, 327. \$5.00.)

Is there any foundation in reality for the distinction between right and wrong in ethics and politics? Professor Strauss believes that there is and in presenting his case makes a significant contribution towards an understanding of the intellectual crisis in which we find ourselves. Based upon a series of lectures which Professor Strauss delivered at the University of Chicago in 1949 under the auspices of the Charles R. Walgreen Foundation, this book presents a formidable challenge to a positivistically oriented social science.

Modern social science not only admits its inability to help us in discriminating between legitimate and illegitimate, just and unjust objectives but denies that any rational method exists by which such judgments can objectively be made. As a consequence, Professor Strauss points out, "we can be or become wise in all matters of secondary importance, but we have to be resigned to utter ignorance in the most important respect: we cannot have any knowledge regarding the ultimate principles of our choices, i.e. regarding their soundness or unsoundness; our ultimate principles have no other support than our arbitrary and blind preferences. We are then in the position of beings who are sane and sober when engaged in trivial business and who gamble like madmen when confronted with serious issues—retail sanity and wholesale madness." Such a conception of social science, Professor Strauss declares, not only leads to nihilism but, in fact, "is identical with nihilism." Modern social scientists not only deny that "men can know what is good" but insist that that denial is required by the demands of tolerance and the cultivation of individuality.

The modern rejection of natural right, i.e. the rejection of the belief that there is a foundation in reality for the distinction between right and wrong in ethics and politics, takes place in the name of history or in the name of the distinction between so-called facts and values. The first two lectures examine each of these critically, with the second being devoted to a brilliant analysis of the meaning and limitations of the methodology of Max Weber. Underlying Weber's methodology, Professor Strauss points out, is the view that "reality is an infinite and meaningless sequence, or a chaos, of unique and infinitely divisible events, which in themselves are meaningless"—all meaning originating in the activity of the knowing subject. Not only is this a view of reality with which few people today would be satisfied, says Strauss, but it is also a view to which Weber himself was unable to adhere consistently. For he "could not deny that there is an articulation of reality that precedes all scientific articulation." The subsequent lectures discuss the origin of the idea of natural right, the classical doctrine of natural right, the modern idea of natural right especially as conceived by Hobbes and Locke, and the crisis of modern natural right in Rousseau and Burke.

The rejection of natural right in the name of history is historicism, and it is

with the rise of historicism and its limitations that the bulk of this book is concerned. Briefly stated, historicism is the doctrine that all thought is historically conditioned and hence relative. There is not, because there cannot be, any knowledge of an eternal, transhistorical order such as is presupposed by the theory of natural right. But historicism is open to the objection that it professes to be a truth of just such an eternal and transhistorical nature. It states that all truths are radically dependent upon the societies in which they emerge and so are relative to those societies; but this most fundamental truth is asserted as valid everywhere and always. Historicism attempts to meet this objection by the assumption of an absolute moment in history. At one moment in history it is given to men to realize the complete dependence of all their thinking upon history. In that moment men perceive that all their ideas of natural right were a delusion.

Professor Strauss suggests that the answer to historicism is to show how it came about. Historicism, he says, is the outcome of the crisis of the specifically modern interpretation of natural right. If this can be shown, then historicism's claim to have arrived at the absolute moment in history will collapse.

The origin of the idea of natural right has its roots, Professor Strauss argues, in the classical philosophers' discovery of the distinction between nature and convention. The discovery of this distinction gives birth to philosophy, or the quest for "the first things." "In brief, then, it can be said," Professor Strauss declares, "that the discovery of nature is identical with the actualization of a human possibility which, at least according to its own interpretation, is transhistorical, trans-social, trans-moral and trans-religious." The philosophic quest for the first things is embodied in metaphysics as the science of being and it is now seen that political institutions have their ultimate explanation in metaphysical presuppositions. Hence the classical philosophers, and notably Aristotle, taught that there is an objective order of human wants determined ultimately by the structure of human nature. The end of man is the perfection of his nature. But since man is by nature a social being he cannot reach his perfection except in society, or more precisely, in civil society. Civil society is thus natural, because demanded by human nature, and can be said to be prior to the individual inasmuch as nature intends not mere human existence but human perfection. Moreover, in order to reach his highest stature, man must live in the best kind of society; hence the preoccupation of classical natural right philosophy with discovering the theoretically ideal order of society based on nature and transcending the flux of history.

The break with this tradition of natural right, Professor Strauss argues, was first made by Hobbes, whose intention was to put natural right on a scientific basis. Civil society, as Hobbes conceives it, is not natural; it is merely an artificial construction designed to preserve the individual's original right to his own existence. Whereas in Aristotle's philosophy society is prior to the individual, in Hobbes' philosophy the individual is in every sense prior to society. Professor Strauss goes on to show how John Locke accepted Hobbes' shift in emphasis from natural duties to natural rights and carried it even further.

But it is in Rousseau's theory that "the modern natural right teaching reaches its critical stage. By thinking through that teaching, Rousseau was brought face to face with the necessity of abandoning it completely. If the state of nature is subhuman, it is absurd to go back to the state of nature in order to find in it the norm for man. Hobbes had denied that man has a natural end. He had believed that he could find a natural or nonarbitrary basis of right in man's beginnings. Rousseau showed that man's beginnings lack all human traits. On the basis of Hobbes' premise, therefore, it became necessary to abandon altogether the attempt to find the basis for right in nature, in human nature. And Rousseau seemed to have shown an alternative. For he had shown that what is characteristically human is not the gift of nature, but is the outcome of what man did, or was forced to do, in order to overcome, or to change nature; man's humanity is the product of the historical process. For a moment—the moment lasted longer than a century—it seemed possible to seek the standard of human action in the historical process." Professor Strauss's thesis then, is briefly this: by abandoning metaphysics and a teleological view of human nature, the modern interpretation of natural right brought upon itself a crisis which issued in historicism. Historicism's claim to have arrived at the absolute moment in history therefore falls, because the genesis of historicism can be traced to an intellectual crisis which adequately explains it.

Professor Strauss brings to his task an admirable scholarship and a brilliant, incisive mind. His style reflects the lucidity of his thinking and as a consequence his book deserves a wide audience, not only among political theorists, for whom it is indispensable, but among political scientists generally.

Any reservations I have about the book would refer to the author's initial presuppositions rather than to the details of his analysis. Professor Strauss approaches the problem of natural right from the perspective of classical paganism; he interprets the modern revolt against the tradition of natural right, not primarily as a revolt against the Christian tradition, but as a revolt against the classical tradition. And it is not to the Christian tradition but rather to the classical tradition that he would have us return. The natural law doctrines of the Middle Ages appear to him to be a distortion of the classical tradition caused by the introduction of beliefs imported from revelation. One may contrast with this view the study of natural law by A. P. D'Entreves and Erich Voegelin's *New Science of Politics*, to mention but two recent works that would challenge that interpretation. It seems to me that Professor Strauss dismisses with insufficient evidence and argument the contention so ably defended by Etienne Gilson that Christian philosophy is not only possible but that St. Thomas Aquinas went a long way towards achieving the harmony between reason and revelation that Professor Strauss would deny is possible. To interpret the crisis of our times primarily as a revolt against the classical tradition is to interpret that crisis as being primarily the result of an intellectual mistake. And it is suggested, by implication at least, that intellectual conversion to Aristotle would effect the cure. That intellectual mistakes may well have been made and need correction, and that we can learn much from Aristotle can be conceded; but

intellectual mistakes themselves have a cause and to some of us it would seem that St. Paul had a more profound understanding of man's predicament and need than did Aristotle. Which is not to deny the wisdom of the Greeks but only to say that it is insufficient.

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How Russia is Ruled. BY MERLE FAINSDOD. (Cambridge: Harvard University Press. 1953. Pp. xi, 575. \$7.50.)

The Dynamics of Soviet Society. BY W. W. ROSTOW IN COLLABORATION WITH ALFRED LEVIN. (New York: W. W. Norton and Co. 1953. Pp. xvi, 282. \$3.95.)

Law and Social Change in the U.S.S.R. BY JOHN N. HAZARD. (Toronto: The Carswell Co. 1953. PUBLISHED under the Auspices of the London Institute of World Affairs. Pp. xxiv, 310. \$4.50.)

There is need not only for specialized studies of particular aspects of Soviet practice but also for syntheses based on reliable research. This is why one must greet with satisfaction the book of Professor Fainsod, who has achieved a great work of synthesis. His book appeared at almost the same time as Mr. Rostow's, which also purports to provide the reader with a global picture, but which does so in a much less satisfactory manner. Mr. Rostow forewarns in the preface that he is not a specialist in the Soviet field. It is not easy, however, to write about the Soviet regime without an intimate knowledge of Russian history and of the Russian language. The image of the Soviet society which emerges from Professor Fainsod's book is warranted by his skillful use of the Soviet publications and enlivened by the comments extracted by the author from his interviews with Soviet escapees. Mr. Rostow used only publications in English; however, he includes by way of compensation a very useful bibliography of American and English books on the Soviet Union.

Both books use basically the same method: an historical survey of the factors which compose the present Soviet reality and an analysis of the contemporary Soviet regime. Professor Fainsod's historical survey is remarkable for its penetrating insight and well-balanced comment. He rejects any deterministic interpretation of Russian history and refuses to see a fatalistic trend towards autocracy in Russia. There were, indeed, developments in the Russia of the past which could eventually have produced a representative government, and there were many Russians in the nineteenth and early twentieth centuries who did their best to transplant the Western democratic ideas to their native soil. The most one may say is that autocratic government has so far been victorious. Yet the rejection of the deterministic interpretation does not warrant high hopes for a sudden succession of the Soviet regime by a true democracy. As Professor Fainsod observes: "Autocracy generates its own authoritarian antibodies and endows them with its own peculiar contour." When the end of the present totalitarianism in Russia does come, one may hope at the most for a

slow and progressive transition to forms of government which are familiar to the West.

Professor Fainsod wisely refrains from prophesying about the future and cautions against unwarranted expectations of a sudden collapse of the present Soviet structure. He enumerates the factors of cohesion, including the political interest of the Soviet rulers in using the totalitarian machinery forged in Stalin's lifetime; the vested interests of the higher bureaucracy; the indoctrination of minds coupled with isolation from outside sources of information; and the patriotic feelings which are stimulated by the regime. He discusses also the opposing factors of tension, such as the insecurity of even the bureaucratic elite; the low standards of living of average citizens; the dissatisfaction among the unskilled and semi-skilled workers and collective farmers, who are reduced to bare subsistence; and discontent among the Soviet non-Russian nationalities faced with the present policy of Russianization. He does not believe in the possibility of successful mass uprisings because "Soviet totalitarianism breeds a sense of aloofness, of isolation, and of suspiciousness in the individual. It is not a milieu congenial to the large-scale conspiracies." The conclusion seems to be that the regime may be threatened in peacetime only by an open struggle among the top leaders or by a revolt of its own bureaucracy (including Army officers), possibilities which are not necessarily probabilities.

There is no analogy between the dissatisfaction in Tsarist Russia and the repressed discontent in the Soviet Union. Professor Fainsod observes that "Literature [in the nineteenth century] was the laboratory of society," while Soviet novels, dramas, or poems must follow strictly the party line and must not stir doubt in the minds of readers.

Professor Fainsod is correct in stressing the importance of the peasant problem in the Soviet Union. The party was successful in replacing one intelligentsia by another and in regimenting industrial workers, but in its long struggle with the peasants it has suffered one setback after another. Although the party is armed with all the weapons of state coercion, it had to acknowledge in 1953 a new defeat at the hands of the collective farmers whose only defense, passive resistance, resulted in a serious shortage of agricultural products.

Professor Fainsod describes the elitist and hierarchical structure of Soviet society, in which the peasant, the unskilled and semi-skilled worker, and the lower stratum of the intelligentsia have to pay the costs of industrialization and of material benefits for the upper bureaucracy. This strictly hierarchical society is founded on an institutionalized inequality and is a perversion of the Utopian dreams of pre-Marxist and Marxist socialists of the nineteenth century. Professor Fainsod explodes a myth which still survives in some minds that Stalin alone was responsible for the present situation. He says: "The elitism which was so deeply ingrained in Lenin . . . , the tradition of highly centralized leadership, the tightening regimen of the party discipline, the absolutism of the party line, the intolerance of disagreement and compromise, the manipulatory attitude towards mass organization, the subordination of means to ends, and the drive for total power—all these patterns of behaviour which crystallized in the

early years were destined to exercise a continuing influence on the code by which the party lived and the course of action which it pursued." A short sentence tells the whole story of the effects of the many purges: "The laws of survival in the totalitarian party favor the tough and the adaptive; the tender-hearted and the independent-minded tend to fall by the way and disappear."

This volume will be a lasting contribution, even if one or another chapter becomes progressively obsolete because of changes in the structure of the Soviet Union. The basic anatomy and physiology of the regime as presented in the book is there to stay, although the day may come when events will vindicate the following statement by a Soviet writer purged long ago: "There is no such thing as the last revolution; the number of revolutions is infinite."

While Mr. Rostow's picture of the Soviet regime frequently coincides with Professor Fainsod's, some of his opinions are controversial. For example, it is difficult to agree with the author when he says that Stalin maintained only a verbal loyalty to the ideal of world revolution. His appeal to the foreign Communist parties at the Congress in October, 1952 was certainly more than an expression of verbal loyalty, for he promised publicly the support of the party and consequently of the Soviet state. The sovietization of Eastern Europe and the support given to Communist China and Northern Korea prove that he was willing to grant more than mere verbal assistance whenever he could do it without endangering the U.S.S.R. itself. At other points the author's interpretation of Russian history shows a lack of familiarity with the subject, as, for instance, in the references to the *Zemskii Sobor*, the Imperial Senate, and the alleged absence of aggressiveness in Russian history.

Again, one can hardly agree that the Soviet offensive policy began only in 1945. Should one qualify as defensive such Soviet moves as the annexations of the Baltic States and of half of Poland, the war against Finland, or the imperialist plans of further expansion laid before the Nazi leaders by Molotov in November, 1940? And while the author is right in saying that there is no evidence that the discontent of the non-Russian nationalities is identified with aspirations for national independence, neither is there any evidence to the contrary; the absence of free elections precludes the possibility of extracting any such evidence.

Mr. Rostow is unduly optimistic in his hope that the Soviet trade unions may emerge as a working-class movement directed against the regime; the Soviet trade unions are nothing but an arm of the party which controls them from top to bottom. One may also doubt whether historians will really look back, as the author believes, to the *Pravda* editorial of April 7, 1953, with its criticism of the then defunct Ministry of State Security, and on the publication in the Soviet press of President Eisenhower's speech of April 16th, as first symptoms of the liberalization of the regime. Yagoda and Beria were not only criticized but shot, but this did not bring about any change in the oppressive policy of the regime. However, Mr. Rostow's speculations concerning the future, even if not shared, have the merit of stimulating the reader's own guessing.

Professor Hazard's book provides another useful guide to the understanding

of the regime. The author has used Soviet legislation as an effective tool for the reconstruction of the regime in action. Soviet law makes one understand the nature of the Soviet system, because a totalitarian state is compelled by its very nature to regulate every detail of social life, and because Soviet leaders act on the strength of Lenin's view that "law is politics" and mould legislation according to the current needs and goals of the Communist party.

This short history and survey of Soviet law reviews each branch of Soviet legislation in its development since the Revolution and in its present stage. It contains a wealth of information and a skillful analysis, documented by frequent references to Soviet judicial cases which help one understand the impact of the legislation upon the life of Soviet citizens. The limpid style makes it easy even for a person who has had no legal training to follow the author's interesting analysis. The legal materials adduced by Professor Hazard support the image of the regime found in Professor Fainsod's book. A lawyer accustomed to Western standards will be struck by certain features of Soviet law: its stern nature, the denial of civil rights, the collective responsibility of the family of a soldier who has deserted abroad, the punishment by analogy for acts which are not forbidden expressly by the Soviet codes, strict labor discipline enforced by law, and the flexible interpretation of international law to suit the political expediency of the Soviet Union.

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Ideals and Self-Interest in America's Foreign Relations: The Great Transformation of the Twentieth Century. By ROBERT ENDICOTT OSGOOD. (Chicago: The University of Chicago Press. 1953. Pp. xii, 491. \$6.50.)

This book addresses itself to the debate on the extent to which foreign policy should be guided by considerations of national self-interest and of ideals. Butressed by careful historical study covering the period from 1898 to 1942, and characterized by thoughtful reflection throughout, Dr. Osgood's volume is a sober, constructive guide to statesmanship and public enlightenment. Eschewing the extremities of the overzealous Realists on the one hand and of the selfless Utopians on the other, the author does not hesitate to affirm that idealism and self-interest are compatible, within rational limits, or that idealism is a driving force which can impel men toward constructive goals and new ways of tackling old problems. He also believes that it is the only impulse which can sustain the popular sacrifice necessary for survival—a fundamental in the scale of values embodied in national interest.

A good deal of the ground material used by the author has been dealt with before by diplomatic and political historians. Nowhere has its total meaning been more thoughtfully appraised in terms of the conflicting emotions, changing policies, and bewildered reactions of Americans in their search for a foreign policy responsive on the one hand to their native idealism yet viable on the other hand in a world of tensions, struggles, and wars.

Within the pages of this book are re-enacted the succession of Great Debates

which have stirred, and torn, the American body politic since 1898—expansionism versus anti-imperialism; internationalism versus nationalism; neutrality versus intervention in war; adherence to the League versus noninvolvement; disarmament, outlawry of war, isolation versus participation in global struggles. The author generally follows Walter Lippmann's thesis that Americans often found themselves in untenable positions during this period of fluctuating stands because they tended to regard struggle and conflict between nations as unnatural and wrong and rejected constructive use in time of peace of their own elements of strength for political ends. Because the American people held an unrealistic view of the true nature of world politics and of "the conditions under which they might reconcile their ideals with their national self interest, their foreign relations from the turn of the century to the 1930's were marked by impulsiveness, instability, and ineffectiveness." And because their ideal expectations could not be fulfilled, and because they persisted in making and adhering to commitments they would not back up with force when challenged, bewilderment and disillusionment swept the nation. Only when the public became aware, through the crucial events of 1940-1941 and the unfolding of Axis war ambitions, that a close relationship existed between their own security and survival and that of others does the author feel that they at length began to appreciate that realism and enlightened self-interest could be reconciled with ideals.

While accepting the validity of the Christian-liberal-humanitarian ideals, and while acknowledging their implications for personal living, the author concedes that in practical international politics the dictates of security and of survival are not always strictly compatible with supra-national ideals. This being so, the task of the statesman—and of the public also, it might be added—is to reconcile ideals and national self-interest, insofar as possible, on a case by case basis through selection of means and ends according to a consistent scale of values. Only by identifying the points of coincidence of the two can narrow egoism be modified. And only as political, economic, and military realities are soberly weighed in terms of national interests and of security can ideal values be maximized in the actualities of international struggle. For the extent to which the nation can approximate its ideals and its national goals depends upon an accurate appraisal of the forces at work within the world, the elements of power involved, and a wise choice of instruments and patterns of policy. Sheer impulse or selflessness cannot gain it these ends. For the first time in its modern history, the United States has actually been confronted since 1940 with a realization that its own survival and the values and interests which are vital to it are at stake in world politics and that the preservation of security is in itself a cardinal value.

Despite the transformation which has occurred in the American outlook, the author fears that old predilections to act by impulse may arise yet again to occasion new pitfalls as the United States becomes still more involved in the complexities of international politics. This has been evidenced already since 1945 in the blind faith Americans reposed for some time in the United Nations,

in their continued disposition to think that solutions can be found to all international problems, in their search for scapegoats when events turn out to their disliking or when conferences become stalemated over presently insoluble issues, and in the appearance of urgings to try to escape it all.

The heart of the author's reasoning is found in his belief that "ideal goals are not obtained in the real world of conflicting national purposes by moral fervor alone but only by a pragmatic calculation of the means to an end, by a rational anticipation of the actual consequences of a given action." Self-interest without ideals is unrealistic and can become self-defeating. Power for survival and for the attainment of national objectives must be measured by ideal standards and a consistent scale of values. Whether one subscribes fully to the author's premises and conclusions or not, the views which he has set down on the respective roles of ideals and of national self-interest, and their interconnection, merit reflective thought by all concerned with the security and well-being of the nation.

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Moscow and the Chinese Communists. BY ROBERT C. NORTH. (Stanford: Stanford University Press. 1954. Pp. 306. \$5.00.)

This book covers the whole period from 1920 to 1953 and treats relations with Moscow within the framework of developments within China and the Chinese Communist party. It is especially interesting for the period up to 1937, for which it uses many sources that are new or not readily accessible. There is a very good discussion of the rather obscure developments which led to Mao Tse-tung's rise to leadership and complete confirmation of the falsity of official Communist history which tries to defend Stalin's policy during this period.

The period from 1937 to 1949, which saw the growth of Communist control from a small, remote, and backward area round Yen-an to the whole of mainland China, receives much less adequate and much shorter treatment (only 60 pages). Great reliance is placed on the Army Intelligence report published in the McCarran Hearings, but this is not an altogether satisfactory source. When it was produced, U. S. Intelligence had not been able to fill out the gap in information from Communist areas between 1940 and the summer of 1944 caused by refusal to short-circuit the Kuomintang news blockade. For instance, when the U. S. Army Observers' Section reached Yen-an, the reviewer learned that his attempt to make contact with British or U. S. Intelligence from West Hopei in 1943 had failed because the U. S. authorities had used a radio station with operators from Tai Li's organization, the very organization responsible for preventing any contacts with the Communist areas.

To the non-American reader it seems that the interpretation of this period has been inhibited by reluctance to make too open a challenge to current popular beliefs in America. In the concluding chapter it is cogently argued that "The West . . . and especially the United States, needs to strengthen public confidence in its own democratic *revolutionary* heritage . . . and demonstrate

to the world that we are a bold, imaginative, and constructively revolutionary people" (p. 285). But previous chapters do not apply this standard to American policy. It is said: "Even in retrospect, it is difficult to formulate an American course which, if followed, would necessarily have stopped or even seriously frustrated the Communists" (p. 202). But as early as 1941 P. A. M. Linebarger had written that "the base of Communism is peasant revolt. If the conditions of peasant revolt are eliminated, Communism will not be much more of a threat to China than it is to the advanced countries of Europe" (*The China of Chiang Kai-shek*, p. 174). A very obvious course for America was indicated by the evidence that the Communists were gaining because they met opposition from the Kuomintang but never competition—that they were winning support, not through the specifically Communist elements in their policies, but through their readiness to give the peasants what they wanted, which made people ready to accept or overlook the specifically Communist elements. The situation is seriously misrepresented by the statement that "many Americans—largely ignorant of what went on among the Chinese Communists—were doubtful whether the Nationalist need for increased efficiency and effectiveness in the war effort justified the undemocratic measures which Kuomintang leaders were taking" (p. 203), because many of the Kuomintang measures were directly incompatible with efficiency or an effective war effort and made sense only as directed to preserving the traditional Confucian social structure. For instance, it is recognized that the failure of Kuomintang units in North China to hold their own against the Japanese was due to faulty strategy (p. 189). But this faulty strategy was related to the fear of the Kuomintang authorities of allowing the type of organization essential for effective guerilla warfare. By following correct but, by Kuomintang standards, highly irregular methods, Wang Yu-min in East Shantung was able to resist both Japanese and Communists until 1945.

If, instead of backing a party with Leninist organization and a leader with Confucian ideals, American policy had followed the course which Mr. North recommends in his final chapter, China might have been offered some acceptable alternative to Communism and it is possible that important sections of the Communist movement might have been won over to something like Titoism.

Acceptance of the current American view of Communism as motivated by nothing but a drive for power leads to an analysis which almost certainly exaggerates the consistency and cunning of Communist policy. While the drive for power may be especially prominent in Communist motivation there is evidence that Communists, like other people, often act from mixed motives. For instance, opinion in Yen-an towards the end of 1945 saw a fight with the Kuomintang not so much in terms of a long-range plan to establish undisputed Communist power (cf. p. 228) as in terms of self-preservation. From 1927 to 1937 the Kuomintang had usually killed any Communists it could catch and there was some real justification for a fear that only Communist armed strength prevented a resumption of this policy. Mr. North may be right in arguing that the Marshall Mission was bound to fail because the Communists were deter-

mined to seize power. But he rather slurs over the evidence indicating that it was also bound to fail because American policy never provided the Communists with any guarantee of security except through victory in a civil war. It is, for example, rather disingenuous to say that "Chinese Communist papers and radio accused the United States of intervening on the side of Nationalist forces . . . but Washington insisted that the American purpose was to secure the full surrender of Japanese forces throughout China. . . ." (p. 224) without admitting that the final surrender of Japanese forces was secured only by the Communist capture of T'aiyuan in 1949 and that, even near the main American bases, Japanese troops continued for months to hold sections of the Kuomintang front.

This criticism has concentrated on what seems the weakest section of the book and should be qualified by saying that even for this period it provides a lot of interesting information. Chapter XIV provides a good summary of developments under the Peking Government. If space permitted, the reviewer would like to challenge the phrase "totalitarian efficiency" and argue that the regime has been efficient in spite of, and not because of its totalitarianism. But this is a large and controversial question.

LINDSAY OF BIRKER.

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American Foreign Assistance. BY WILLIAM ADAMS BROWN AND REDVERS OPIE. (Washington: The Brookings Institution. 1953. Pp. xii, 615. \$6.00.)

Raising the World's Standard of Living: The Coordination and Effectiveness of Point Four, United Nations Technical Assistance, and Related Programs. BY ROBERT T. MACK, JR. (New York: The Citadel Press. 1953. Pp. xviii, 285. \$4.00.)

In these days, when the new slogan "trade, not aid" is being gingerly bandied back and forth across the Atlantic, the appearance of a thorough and judicious analysis of American foreign aid programs since Pearl Harbor is particularly timely. As such, *American Foreign Assistance*, the product of several years of painstaking research by two distinguished economists under the auspices of The Brookings Institution, should be warmly welcomed alike by government officials and by students of recent American foreign policy.

The Brown-Opie study is a solidly documented volume which traces in detail the evolution of American foreign aid through five overlapping phases: (1) wartime lend-lease and reciprocal aid to our allies; (2) early postwar relief and rehabilitation assistance—both through UNRRA and by subsequent unilateral loans and grants; (3) economic aid for European, and in a limited and somewhat sporadic fashion Far Eastern, recovery—largely through the Marshall Plan; (4) the Point Four program for underdeveloped areas; and (5) the emergence of the Mutual Security program since NATO and Korea. During these twelve fateful years, according to the authors' calculations, "the United States made available approximately \$94 billion for programs of assistance to

foreign countries in pursuit of the political, military, and economic objectives of its foreign policy" (p. 8). Subtracting loans, the net total of direct grants exceeds \$80 billion, roughly half of which represents aid given since the end of World War II. It is with the motivation, administration, impact, and limitations of *postwar* aid activities that the study is primarily concerned. The final section of the book presents a general appraisal of aid policies and operations, including a number of concrete recommendations for the guidance of future US foreign economic policy.

While maintaining a generally sympathetic point of view toward foreign aid goals throughout their study, the authors do not hesitate to intersperse critical evaluations. They note, for example, that except for Point Four all US aid programs were intended as emergency measures, and even Point Four has not been regarded by many members of Congress as a long-range instrument of policy. The observation is made that Washington's wartime estimates of postwar recovery needs proved to be grossly inadequate; also, that the notion that reconstruction could be achieved by loans, without resorting to outright grants, only gradually came to be regarded as unrealistic. With reference to the Marshall Plan, the test of need was mainly dollar deficits which, in the authors' opinion, turned out to be an unsatisfactory criterion since it failed to provide sufficient amounts of assistance to achieve complete recovery, or to supply "proper incentives" to the Europeans to put their own economic house in order. To some readers, among them the present reviewer, this latter judgment, made with the advantage of hindsight, may seem unjustifiably severe. Indeed, the authors themselves in a later passage question "the propriety of . . . efforts by the United States to persuade, press, or coerce its allies to accept objectives that are presumably in the interest of all" (p. 568); and they look upon the Benton amendment to the Economic Recovery Act (designed to promote "free enterprise" in Europe) as an unwise attempt to influence the internal policies of the aid-receiving countries.

Most economists, on the other hand, would agree fully with Brown and Opie's condemnation of the tying of economic aid to the disposal of American agricultural surpluses, not to mention the provision that at least half of the American goods supplied to overseas nations must be transported in American ships. Both of these conditions, it is convincingly shown, had the effect of reducing the capacity of such nations to earn and save dollars and thereby ran counter to the avowed purposes of the Marshall Plan.

The authors of *American Foreign Assistance* are equally critical of the recent tendency to subordinate economic aid to security considerations. The earmarking of counterpart funds for military purposes by the Mutual Security Act of 1951 is singled out for castigation as "undue interference" in the domestic affairs of other countries. In milder vein, the Battle Act (restricting Western trade with Communist-dominated areas) is characterized "as an uneasy compromise between the American and the European views of the effect of such trade on the security of the free world" (p. 233), although the authors admit that the Act was applied by the Administration with marked restraint.

In their overall appraisal of American aid policy, Messrs. Brown and Opie properly emphasize the impressive results it has achieved in overcoming the economic and military weaknesses of the free world community—despite the necessarily improvised and often poorly coordinated administration of much of the policy. Looking ahead, however, they fear that the need for further *non-military* assistance may be underestimated. Point Four, in their judgment, should be continued on a long-term basis and along with it effective arrangements for the provision of capital for economic development will somehow have to be devised. But at best they see little hope that private lending will be sufficient and they are convinced that any substantial renewal of international investment will require intergovernmental action—presumably through the United Nations. The United States, they believe, must lead the way toward a world-wide liberalization of commercial policy and toward general currency convertibility. This is a large order and there are at present few signs that it is likely to be viewed sympathetically in congressional circles.

Raising the World's Standard of Living, by Robert T. Mack, Jr., is of a decidedly lower order of scholarship. Originally submitted as a doctoral dissertation at the University of Chicago, Mr. Mack's study consists largely of a descriptive account of the machinery through which various types of economic and technical assistance have been provided by international agencies (chiefly the United Nations system) and by the United States government. Since most of the research for the study was completed by the middle of 1950, such attention as the author gives to the "expanded" UN program and to US Point Four operations is fragmentary, frequently out-of-date, and not always accurate. The volume contains a mass of documentary information on the legislative history of the UN and US programs and undoubtedly will be useful for background reference purposes. A case study on the handling of foreign aid in Iran, although apparently based entirely on materials available in this country, is perhaps the most valuable feature of the study.

In general, however, it does not really do what its subtitle would lead one to expect, namely, provide a critical appraisal of the "coordination and effectiveness" of current multilateral and bilateral aid programs. Coordination is the recurring theme of each successive chapter—indeed, the term itself is employed almost *ad nauseam*—but one is never quite sure whether the author fully understands its connotation as an overall administrative problem. There is much cursory comment about coordination (though little or nothing on "effectiveness"), yet the reader does not get much insight into the informal dynamics or human aspects of the process.

Unfortunately, Mr. Mack's survey is marred by a verbose and rather pedestrian style, as well as by numerous factual errors. To cite only two: the Hot Springs Conference of 1943 did not, as the author implies, draw up the Constitution of FAO (p. 32); nor is it accurate to claim that the UN Technical Assistance Board "coordinates not only its own members, but also other international, intergovernmental, and regional organizations operating in this field" (p. 113). In noting the role of the Organization for European Economic Cooperation, no

reference is made to its "productivity" program—probably the most significant of its endeavors from the point of view of Mr. Mack's study, while the economic aid activities of the US Economic Cooperation Administration in Southeast Asia and the Pacific appear to have been completely overlooked.

In this reviewer's opinion, the author would have been well advised to mature his judgments, many of which seem to lack substantive foundation, by further inquiry and reflection following his Ph.D. thesis operations. In its present form, the printed volume impresses the reader with having been hurriedly put together in order to expedite publication. This may be an unfair characterization, but the grandiose title of the study, at any rate, is scarcely warranted. It is regrettable that what might have been an outstanding contribution should treat so important a subject in such a disappointing manner.

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Yale University.

Administration in Foreign Affairs. BY ARTHUR W. MACMAHON. (University, Alabama: University of Alabama Press. 1953. Pp. v, 275. \$3.50.)

How much do intelligent laymen, including political scientists not specializing in international relations, need to know about the technical problem of administrative organization for the conduct of foreign affairs? In this instructive treatise, which began as a series of lectures for the Southern Regional Training Program in Public Administration, Professor Macmahon holds that perhaps their first need is to realize that here as elsewhere a little knowledge may be a dangerous thing. "For in foreign affairs especially," he observes, "things never go quite right and there is a constant temptation to seek a scapegoat. If the scapegoat is [alleged to be] the structure, we may bedevil ourselves to the end of time by cherishing the illusion that there is somehow a simple, decisive, frictionless way of arranging the organization. . . . The sickening frequency and now apparently automatic newspaperman's use of the word streamlining are signs enough of the muddy middle ground that must be crossed in achieving a mature sympathy for organization as one of the great resources of a people."

From the standpoint of administration—questions of substantive policy fall outside the scope of the book—the conduct of foreign relations poses a dual problem: how to achieve what Macmahon calls a "concert of judgment" in decision-making in Washington and how to match it by a concert in action on the part of all governmental agencies having responsibilities abroad. Neither of these is easily accomplished. For one thing the United States has yet to become accustomed to participation in foreign affairs on so vast a scale, to providing so much of the necessary initiative and leadership, and (though this confronts all nations more or less alike) to using the methods and working through the machinery of council or parliamentary diplomacy; for another there is the tremendous size of its own establishment. In 1951, for example, there were 167,315 civilians working outside our continental limits. Some 45 per cent were employed in U. S. territories and possessions, yet 91,234 were in foreign countries.

Most of these, to be sure, were aliens performing largely manual services, but 32,475 were American citizens. Among them 20,768 were employed by the Armed Services, 8,390 by the Department of State, and 1,537 by the Mutual Security Agency, which has since been reorganized as the Foreign Operations Administration. A dozen other departments and agencies had smaller though in some cases fairly sizeable numbers.

With regard to improving the concert of judgment at home, Macmahon shows that emphasis on refining administrative adjustments has already produced substantial dividends and concludes that this, rather than the search for some grand new scheme of organization, represents the true line of advance. Let the huge Department of Defense keep plugging away at real unification and thus reduce, for instance, the danger that U.S. officers in N.A.T.O. may find it more difficult to check and clear projects within the Defense establishment than with the Department of State or the Foreign Operations Administration. Let the staff of the Bureau of the Budget go on serving as the "prime institutional catalytic of decision." Let Americans be reconciled to the unlikelihood that the Cabinet will ever become an effective instrument of coordination but note meanwhile that the National Security Council, "in essence a Cabinet Committee," gives promise of being "decisively fruitful." Finally, let no one assume that the President could easily lighten his own enormous burden in this field by the simple expedient of formalizing the position of a high assistant for foreign affairs with which Truman and Harriman experimented. The sounder way, in Macmahon's view, is to "seek the magic of free minds by equipping for creative thinking men rooted in responsibility, especially the Secretary of State himself."

Intelligence studies, cultural exchange, information and economic programs are here to stay, and the proper way for them to be organized is probably "within the framework of a single though suitably decentralized department of foreign affairs." All of them are vital phases of the conduct of foreign affairs and all are manageable within the State Department provided there be no rigid insistence on scalar streamlining. Intelligence is basic but the process involved is "far more patient than mysterious." Though economic operations are often held to pose problems insoluble except by the establishment of an independent agency, the early record of State's Technical Cooperation Administration was so good that it could well have become "the nucleus of an economic operating branch in a composite department."

In view of the near erasure that has been made of the distinction between domestic and foreign affairs in recent years, the need for interdepartmental coordination will continue at a premium. Since the War there have never been less than thirty major interdepartmental committees dealing with foreign policy and this general arrangement may be expected to continue. Incidentally, some evidence of the reality of interdepartmental cooperation can be found in the fact that "in a sample of two post-war years only about one-fourth of the United States representatives at nearly four hundred international meetings were from the State Department."

With regard to the integration of the efforts of U. S. agencies and officials abroad, William H. Draper's success as Special Representative in Europe for the Secretaries of State, Treasury, and Defense and the Mutual Security Administrator indicates that it may from time to time and place to place be possible to employ a device of this kind for regional coordination. Yet there can be no doubt that the main responsibility for the unification of our activities abroad must continue to be organized on a country-by-country basis and be vested in the chief diplomatic officer accredited to its government. Lastly, with regard to personnel, Macmahon quotes with approval the view of the advisory committee appointed by Secretary Acheson in 1949: the United States should have "a single personnel system applicable to all people under direct administrative control of the Secretary of State."

JOHN A. VIEG.

Pomona College.

The Advice and Consent of the Senate: A Study of the Confirmation of Appointments by the United States Senate. BY JOSEPH P. HARRIS. (Berkeley and Los Angeles: University of California Press. 1953. Pp. xii, 457. \$5.00.)

The constitutional decisions of the courts usually find their way quickly into the accounts and analyses prepared by those whose business it is to discern the meaning of judicial thought in both its current and historical aspects. Less systematic and less voluminous commentary is the rule with respect to practice in the interpretation of those parts of the Constitution whose content rests on decisions by the political organs of government. One of the resulting gaps in the literature is plugged by Professor Harris' book. He directs his attention to the brief clause empowering the President to nominate, "and by and with the advice and consent of the Senate," appoint "ambassadors, other public ministers and consuls, judges of the Supreme Court, and all other officers of the United States, whose appointments" are not otherwise provided for. So generously has the Senate, on which Professor Harris focuses his treatment, interpreted its authority under this succinct mandate that about 400 pages are required for a rather compressed analysis of practice under the clause.

In the organization of the mass of data on the subject Professor Harris chose to devote about one-half his space to an historical account of actions of the Senate in giving or withholding its advice and consent and the other half to topical analyses. A selective report on practice before this century emphasizes those incidents and cases most significant in the formation and development of senatorial custom. As the story approaches the present day, the account becomes more comprehensive and several spectacular cases are the subjects of notable chapters, such as those on the Brandeis and Olds cases.

The topical chapters both rest on the historical data presented in the first half of the book and report additional relevant materials. Individual chapters are devoted to a codification of Senate precedent and practice in relation to nominations to different categories of offices: cabinet officers and heads of independent agencies, diplomatic officers, judges, and administrative and mili-

tary officers. One chapter copes with the identification of the exact usages comprised within the rule of senatorial courtesy and another deals with Senate procedure in its "advice and consent."

Long reflection on its record does not necessarily generate an admiration for the Senate. Professor Harris concludes that "on the whole, the requirement of senatorial confirmation has not elevated the standards of appointment to federal offices." Senatorial confirmation has not provided the salutary safeguard "against unfit appointments that Hamilton expected, but has rather confirmed the judgments of Madison and John Adams, who expressed doubts concerning the wisdom of the provision." Professor Harris takes the view that appointments by the President with senatorial confirmation should be so few that both the President and the Senate could know what they are about. He contends, however, not for a substitution of presidential patronage for senatorial patronage but for an extension of the career service.

While Professor Harris is concerned about the proper place of the Senate in the appointing process, he devotes his efforts principally to analysis of practice. The book bears throughout the marks of careful workmanship and will doubtless remain for some time the standard treatment of a question of very considerable significance in the American constitutional system.

V. O. KEY, JR.

Harvard University.

Nationalism and Social Communication: An Inquiry into the Foundations of Nationality. BY KARL W. DEUTSCH. (Cambridge: The Technology Press, Massachusetts Institute of Technology; and New York: John Wiley & Sons, Inc. Pp. x, 292. \$5.00.)

Professor Deutsch has several objects in view: giving aid and comfort to a converging assault by specialists in many disciplines upon the scientific understanding of nationalism; stimulating the growth of a body of research knowledge composed of operationally pertinent data; and adding something to the subject on his own account. The first part of the monograph explores a wide range of contributions to the topic of nationalism by historians, political scientists, economists, sociologists, social geographers, social psychologists, linguists, ethnologists, and others. The spirit of the treatment is tolerant and constructive, aiming at translation and fusion rather than separatism. As a means of demonstrating the fruitfulness of his research Professor Deutsch presents four case studies of the languages used in Finland, Bohemia, India and Scotland, which he utilizes to provide an index of assimilation to the ultimate nationality.

The theoretical discussion lays particular emphasis upon some of the conceptions developed in certain branches of communication theory. Engineers concerned with studying telephone and other networks of communication have examined the efficiency with which patterns fed into the nets are reproduced at terminal points. Although the term "information" has crept into the vocabulary of the engineers, the word does not have the connotation of a "meaning." It is restricted to the patterns of sound waves, dots and dashes, and electro-

magnetic phenomena familiar to physicists. Whatever interferes with the duplication at the output point of the physical pattern fed into the network at the input point is "noise." The term "memory" is borrowed to refer to the storing of past inputs so they may be available at some later point in time than usual. It has been brilliantly shown that communication traffic conforms to fundamental laws of physics, notably entropy (the tendency of order to give way to disorder). Mathematicians working with neurologists have proposed to apply the same mode of analysis to the operation of the brain and the nervous system.

Unfortunately the connection between theories of this kind and nationalism is not demonstrated in Professor Deutsch's study. The potential significance of the diffusion of language patterns is no novelty in the history of the subject. If the author's interest in the study of assimilation was stimulated by communication theory, this was largely a personal accident, since the pertinent hypotheses are readily derivable from standard theories of the phenomena. It is significant that the term "information" as employed by the engineers does not figure in the analysis when Professor Deutsch comes to grips with his topic. He wisely reverts to a more differentiated vocabulary, and undertakes to provide operational specifications for "will," "consciousness," and the like. Similarly the term "memory" is measured by no new indexes. It is postulated rather than demonstrated that "memory" (plus many other meaningful predispositions) is linked with language.

Perhaps the most serious limitation on Professor Deutsch's work comes from disproportionate reliance upon categories that he does not apply, with a resulting deflection of attention from the most promising core of theories of human behavior, namely, those on valuation. If we postulate that human beings act to maximize their net value realizations, the task of theory is to formulate guides to inquiry in which such a phenomenon as nationalism is shown to rise and fall according to a fluctuating pattern of expectation. The perspectives, in turn, need to be related to the attention structures that arise in stated circumstances. The most fruitful formulation of nationalism will connect it with the theory of choice, and especially with the category of choices that concerns politics most directly, namely, the sanctioned choice (decision). In terms of dynamic equilibrium theory, we need a model capable of empirical verification in which nationalism is a changing magnitude in reference to rival "ism" magnitudes (such as localism, regionalism, transnationalism, universalism), and varies as a function of specified systems of change in expectations relating to values incorporated within the self-systems of human beings under specified environmental circumstances (acting upon specified systems of predisposition). Similar specifications are needed for situations involving other values, such as respect and enlightenment (social class; and access to news and interpretative comment).

The point of these remarks is not that Professor Deutsch does not allude at some point to what is at stake, but rather that the lack of emphasis upon the value process leads to a scattered and disproportionate theory. This may help

to explain the feebleness of the projections into the future made in the final chapters, and the dogmatism that occasionally intrudes, such as the view on page 51 that a worldwide body politic is impossible.

The affirmative contributions of the book should not be cast in the shadow. Perhaps Professor Deutsch's eclecticism and infectious enthusiasm for research will draw into the circle of productive scholars specialists who would otherwise devote themselves to less important topics. The numerous indications of the kinds of operational indexes pertinent to the study of social and political processes may encourage needed research work. (An excellent example is the enumeration at the beginning of Chapter 5 of some of the indexes suggested by communication studies.) The four cases summarized in Chapter 6 are presented with care and imagination, and are eligible take-off points for many promising inquiries.

HAROLD D. LASSWELL.

Yale University.

Church, State, and Freedom. BY LEO PFEFFER. (Boston: Beacon Press. 1953. Pp. xvi, 675. \$10.00.)

The explosive issue of church-state relations—which many in the United States had apparently and somewhat naively thought was dead or at least soundly slumbering—has come more and more to the forefront in the politics, law, and thought of the past two decades. The many legal cases involving Jehovah's Witnesses, controversies turning on the relation of education to religion, such works as the monumental three-volume study of Anson Phelps Stokes, and the several polemics of Paul Blanshard and his critics have served to remind us that the relationship of spirituals to temporals is indeed a perennial and often ubiquitous problem in political and legal theory and in practical politics.

As a scholarly discussion of the whole problem, mainly in the context of American conditions, Leo Pfeffer's study will take high rank. Written by a lawyer and emphasizing the legal issues involved, it is also characterized by a serious interest in problems of political theory and sociology.

The volume is divided into three parts. In the first, the author considers the evolution of what he conceives to be the uniquely American principle of church-state relations and religious freedom. There is a good summary of theory and practice from ancient times to the Reformation; an analysis of the problem and its "solution" in countries other than the United States; and an excellent account of the slow development of the "American principle" from colonial times to the adoption of the First Amendment.

Part Two considers the "establishment of religion" clause of the First Amendment as it has been interpreted in American thought, law, and political practice. With great erudition, the author examines the issues of state aid to religion, church intervention in state affairs, state intervention in church affairs, the public school and religious education, the "released time" experi-

ment, religious practices in the public schools, state aid to religious education, and "indirect" and federal assistance to education. Pfeffer endeavors to state every point of view as persuasively as possible, usually in the words of the respective advocates themselves. At the same time, he frankly avows his own position, which is that the prohibition of laws "respecting an establishment of religion" was intended to bar, and ought to bar, not only preferential aid to one religion but also state assistance to religion in general. This was the position taken by those most closely associated with the passage of the First Amendment, he maintains, and is also the interpretation which will in the long run permit both state and church to perform their respective functions best.

The text for Part Three is the "religious freedom" clause of the First Amendment, as differentiated from the "establishment of religion" prohibition. Here the author considers the relation of religious freedom to national defense, including the problem of conscientious objection to war; the bearing of the "freedom" guarantee on the protection of public morals; the legal definition of blasphemy and sacrilege; religious freedom and regulation of property; and liberty in relation to marriage and the family, welfare of children, protection against financial insecurity, and the raising of revenue.

At the conclusion of the study Pfeffer offers several "theses" which he believes find "reasonable support" in his researches. Briefly, they include the following: church and state in history have ever tended to compete for the control of human destiny, and while at times church has dominated state, more frequently state has controlled church and used the ecclesiastical organization for its purposes. Before the American experiment "separation of church and state" and "religious freedom" were virtually unknown. While the two notions are sometimes in conflict, on the whole "separation" guarantees freedom and freedom requires "separation." The idea of separation and freedom "was conceived to be as absolute, as possible within the limitation of communal society" and the framers of the First Amendment imposed a "moral obligation" on future generations to preserve the experiment. Historical impairments of the principle (which are due to man's imperfections) should not be used to "whittle away" at the "absoluteness" of the First Amendment and, as a matter of fact, to the extent that historical deviations (for example, religious education in the schools) have developed, the evils against which the "fathers" warned have materialized. Basically, however, the American people have been "faithful" to the principle and under its aegis "religion has achieved in the United States a high estate unequalled anywhere else in the world."

On the whole, Pfeffer makes out a good case for most of these propositions. One wonders, though, under what theory the "fathers" could impose on their descendants a "moral obligation" to carry out the ideas of the First Amendment. One might wish, also, that Pfeffer had emphasized more strongly the great difficulties of separating "spiritual" from "temporal" concerns. Then, too, his reading of history seems at some points to be overly simplified.

By and large, however, students of political theory and law, as well as the

general reader, will find this a well-written and skilfully organized volume which illuminates what is becoming once more an increasingly acute issue in American politics and thought.

MULFORD Q. SIBLEY.

University of Minnesota.

Politics, Economics, and Welfare. By ROBERT A. DAHL AND CHARLES E. LINDBLOM. (New York: Harper & Bros. 1953. Pp. 526. \$5.00.)

This is an important book, in part because it represents a far-flung, pioneering venture in the joint use of the tools of political science and economics, and in part because it applies the tools of these two disciplines to the concept of economic planning, which is defined as "an attempt at rational calculation and control in the use of scarce resources."

The keystone of the book is the cogently-argued thesis that the great issues of socialism versus capitalism, planning versus nonplanning, and welfare state versus laissez faire simply do not exist. The possibilities for rational social action depend not upon our choice among mythical grand alternatives but largely upon choice among particular social techniques. In fact, the central core of both classic liberalism and classic socialism is the belief "in the possibility of achieving progress in extending freedom and equality through man's capacity for rational calculation and control."

The authors attempt a systematic analysis of rational calculation and control. They discuss aids to calculation, mechanisms for setting goals, and basic control techniques and processes. They devote the bulk of the book to four central socio-political processes required for economizing: price system (control of and by leaders); hierarchy (control by leaders); polyarchy (control of leaders); and bargaining (control among leaders). "Any complete society intelligently bent on using its resources efficiently must, unavoidably, make some use of all forms of them . . ."

Among the most useful aspects of the book is a detailed comparison of the advantages of the price system and hierarchy. The values of a price system are many. It makes rational calculation easier by providing a common denominator of values and by "delegating" decisions to a large number of persons. It also facilitates various forms of control. It is "a mechanism by which leaders can through payment of wages, rents, interest, and other money rewards, induce workers and other holders of resources to submit to hierarchical control within the enterprise . . . [and] through which leaders control consumers so that they do not attempt to consume more production than is available." At the same time, businessmen can be controlled by consumer and occupational choice, by competition (particularly through substitution), by bargaining, and by the hierarchical controls of government. These controls operate to an important extent even under conditions of monopoly and group efforts to set prices and divide markets. In fact, the customary pricing routines of business are "sometimes an intelligent approach to marginalism in the face of uncertainty." There

is even a role for the price system in socialist societies and in nationalized industries.

The greatest limitation of the price system is that it is "a highly specialized process and adaptable to a much narrower range of problems than is the case for the other processes." In the case of such sharable services as education and national defense, "high cost to individuals makes choice through the price system wholly inefficient." Price system rewards cannot be used for some ends, such as attracting men into the armed services. When private system rewards can be used effectively, they may have too explosive an effect upon the distribution of national income. Or else the existing distribution of income will require collective allocation or subsidization. Third party damages from market transactions may be both widespread and serious. Also, people often wish to escape market choice because it takes too much time or leads to a breakdown of standards they would like to see enforced. "Price system choice and allocation may operate at an extremely low level of rationality." In all real world price systems, control over entrepreneurs is always imperfect. The effectiveness of a price system for choice and allocation is sharply reduced by either inflation or depression.

Bureaucratic organization, on the other hand, is "often the indispensable means by which a small number of individuals can coordinate the actions of a large number." Its use is essential when the desired amount of coordination cannot be achieved through face-to-face contact, a free confederacy, reciprocal or spontaneous controls, or the price system. It is needed to handle complex operations and to obtain the maximum advantage from the division of labor. It also comes into being because of "the desire for status and control as ends" and "a cultural bias in favor of deliberate, conscious efforts at an apparently rational adaptation of means to ends."

But bureaucracy has three major weaknesses. First, bureaucracies are often wasteful of resources. Yet "in a wide variety of situations the internal economies of business bureaucracies are more than offset by the external costs they create, and the internal wastes of government bureaucracies are more than offset by the external social gains." Second, hierarchy is likely to produce serious inequalities in human dignity and political power. Third, it is likely to escape both internal and external controls. In addition, it suffers from such minor weaknesses as red tape, passing the buck, rigidity, impersonality, and over-centralization.

These weaknesses of bureaucracy cannot be overcome merely by replacing business hierarchies with government hierarchies (or vice versa), or by new rules (which usually mean more red tape). The more important prerequisites for the successful use of hierarchy are social acceptance of it, more political controls, some degree of decentralization to small groups, and above all supplementation through the price system. Both hierarchy and the price system, in turn, must be supplemented by polyarchic and bargaining processes.

The authors' treatment of these subjects will raise many questions. To this

reviewer a central question is whether rational social action should not be viewed as an aspect of the general social process of group organization and conflict. Another is whether it is not essential to study the divergent objectives of different groups and the sources and uses of whatever power they are able to wield. If the answer to both these questions is affirmative, then much of the book's systematic framework diminishes in importance and many of the valuable analyses and insights in the book can become truly fruitful only when seen in a new and broader perspective.

Yet the many questions which the book suggests can be of tremendous value to the future development of the social sciences and—as this reviewer has already discovered by putting the book to use in a graduate seminar—to the promotion of creative thinking among advanced students. With a sense of historical perspective the authors write in their preface that “one way to measure the progress of a science of political economy is by the degree to which a book of this kind becomes obsolete.” Without suggesting undue optimism concerning the pace of progress, this reviewer suggests that political scientists and economists tap this rich vein of ore as quickly and thoroughly as possible.

BERTRAM M. GROSS.

Jerusalem, Israel.

Flood Control Politics: The Connecticut River Valley Problem, 1927-1950. By WILLIAM EDWARD LEUCHTENBERG. (Cambridge: Harvard University Press. 1953. Pp. vi, 339. \$5.00.)

This case study of floods, flood control, and politics in the Connecticut River Valley over a twenty-three year period closes with a three-fold answer to the question: “Why in a region which prides itself on its attention to public issues, in a region where river valley development has been a controversial question for more than two decades, is the record so poor? Why has so little been done? Why has so much that has been done been done so badly?” The author concludes:

Much of the explanation lies in the practice of assigning responsibility for water resources to a number of federal agencies, each isolated from the rest, often working at cross purposes, with no fixed responsibility for developing a coordinated program. . . .

A second reason for the poor record of the Connecticut Valley during this period stems from the inadequacy of individual state action and the limitations of the compact device. . . .

A final reason for the failure to develop the Connecticut River Valley stems from the inclination of economic interests and political parties to turn every water resources problem into an ideological dispute, to view every question, no matter how technical, as a moral issue.

In arriving at this assessment, the author has documented his statements meticulously. A total of 745 notes and a 33-page bibliography support the twelve chapters tracing the history of the Valley. The book constitutes a detailed examination of what has gone on during the past quarter-century, and will be a definite source of interest to all students of water resources development and its politics, whether they agree with the conclusions or not. Through-

out the book, the documentation seems to support the theses that the investor-financed public utilities frequently exercised a controlling influence on the actions of state governments; that the Army Engineers were both inept and expedient in their handling of problems entrusted to them; that the interstate compact device is not satisfactory for handling the problems of development of an interstate stream; and that full federal control of water resource development is the only sound answer.

Early in the book it is stated that when Franklin Roosevelt took office in 1933 there was no national water policy. The author could well have pointed out that today there is equally no explicit national water policy.

Many of the weaknesses of the 1936 Flood Control Act are set forth, with the statement that President Roosevelt's advisers were well aware of them and that the President must bear much of the responsibility for the 1936 Act. Another writer has recently indicated that the Administration does not appear to have been alerted to the important policy implications of that Act until late in April of 1936, less than two months before the bill was passed and signed.

While the author does not pretend to competence in the field of engineering, he appears to assume that control of floods in the Connecticut Valley necessitates the construction of reservoirs. At one point, a definite question is raised as to engineering:

Yet the Army Engineers must bear the burden either of having advocated a plan of flood control that would needlessly have flooded one of the loveliest valleys in New England, when a perfectly feasible alternative proposal existed, or having agreed to a final, "compromise" plan which failed to provide adequate flood protection for the lower valley. The War Department first asserted that it was impossible to go up the feeder brooks and build dams that would give adequate protection and then agreed to a proposal that did just that. Moreover, if a high flood control dam was required on the West River, then hydro-electric power could have been developed, and the final compromise sacrificed power as well.

No question is raised or discussed in the book as to whether all the flood protection that is economically sound for the Valley might not be provided by the construction of levees, flood walls, and other local protective works at the seven major urban damage centers in Massachusetts and Connecticut. Perhaps an exploration of this question would show that, notwithstanding the great dramatic impact of a serious flood or hurricane, the economics of flood damage reduction (not flood control) would not warrant the kind of program that the high dam (and public power) advocates support. It is possible that such consideration has affected state participation in the federal proposals.

It is particularly timely that this extensive and detailed study should become available while a proposal for adoption of the interstate compact device as an approach to solution of the Missouri River problems is actively under consideration, and when a Commission on Organization of the Executive Branch of the Government has assigned one of its task forces to examine the whole federal activity concerned with water resources and power.

There probably will be many who will not agree with the author's conclusion

when he says: "In the last analysis, the President was correct when he wrote Cross in 1937 that water resources were not properly the subject of interstate compacts but of federal legislation."

Nevertheless, the book should bring to mind a warning in the task force report on natural resources made for the first Hoover Commission: "If the consolidations recommended by the Committee . . . are not carried into action, and if present competition among federal resources agencies continues, it will in all probability be necessary to establish regional authorities."

And, there is another prediction that was made in December, 1952 by a subcommittee of the Committee on Public Works of the United States House of Representatives: "If conflicts among the agencies cannot be resolved with the existing distribution of functional responsibilities, the subcommittee believes it probably will invite the consideration of a new approach for the resolution of the many conflicts."

In any event, the experience of the quarter-century described by the author should provide lessons that must be heeded if water resource development is to be successfully prosecuted and, particularly, if the states and local governments are to bear a larger share of the work.

CHARLES D. CURRAN.

Washington, D. C.

Public Policy: A Yearbook of the Graduate School of Public Administration, Harvard University, 1953. EDITED BY C. J. FRIEDRICH AND J. K. GALBRAITH. (Cambridge: Graduate School of Public Administration, Harvard. 1953. Pp. xi, 292. \$4.75.)

This is the fourth volume in a series which was begun in 1940, and is now being resumed after interruption by the war. The first volume stated that its purpose was to make available studies growing out of the Littauer seminar program, and this is still the major idea, though the 1953 volume invites "critical studies of limited areas of policy" from any members of the profession for future issues.

The reviewer has the problem that always arises in dealing with a symposium, complicated here by the absence of any unifying theme. To be sure, the first four essays are on subsidy problems, the next four are on problems of the bureaucracy, and the final four are grouped as studies in comparative government and civil rights. But the essays in each group are related only in a very episodic fashion, so that one is reduced to talking about the individual contributions or about the general questions raised by such a publication. This review will try to do a little of both.

The group of essays on bureaucracy is headed by Arthur Maass' brilliant discussion of the weakness of the Budget Bureau as a policy staff for the President. The Bureau's dilemma results from the fact that operating agencies look to it for indications as to whether their proposals are "in accord with the program of the President," whereas in many cases no definite policy line has been laid down. Recognizing the impossibility of going to the President on each

"day-to-day problem that arises, the Bureau tends, Maass says, to "muddle through," to try to mediate differences so that there will be no policy conflict which has to go to the President. Lacking in both authority and professional knowledge as to substantive policy questions, the Bureau tends to interest itself in the institutional manifestations of problems, leaving basic program conflicts unresolved. Maass goes on to indicate why the Bureau, characterized by the parochialism and caution of a career bureaucracy, cannot possibly function as a top policy staff, and concludes with some suggestions as to how such a staff might be organized.

The outstanding essay in the third section is Robert G. McCloskey's brief but incisive analysis of three governmental areas, all appropriately exploited by the McCarran Act, where current constitutional doctrines permit exercise of "arbitrary power"—control of the mails, of public employees, and of aliens. McCloskey discusses the reasons given for judicial self-limitation in these areas, and concludes that arbitrary power is so much the exception in the American governmental system that a re-thinking of the judicial policy is justified.

These two essays, plus several others on which space is lacking for comment, far outweigh a few meaningless pieces in the volume, but do they justify the claim of the work to the status of a yearbook in the field of public policy? Obviously it would not be feasible to attempt to make the issues discussed representative of the policy issues faced by the United States during the year in question. But on whatever ground the policy issues covered are selected, the purpose of the volume, considering its auspices, should certainly be to advance the systematic study of public policy. It is difficult to believe that such a purpose has been served here. Before long it would seem appropriate for the editors to vary their pattern by including some analysis of the lessons learned by the Harvard seminars and the most fruitful methods discovered for tackling public policy problems. The kind of hard thinking which Harold Stein and his Committee on Public Administration Cases put into the development of the case concept might be equally effective here.

C. HERMAN PRITCHETT.

University of Chicago.

The Nemesis of Power: The German Army in Politics, 1918-1945. BY JOHN W. WHEELER-BENNETT. (London: Macmillan & Co.; and New York: St. Martin's Press. 1953. Pp. xvi, 829. \$12.00.)

A monumental work in which the author of *Hindenburg: The Wooden Titan*, *Brest-Litovsk: The Forgotten Peace*, and *Munich: Prologue to Tragedy* has finally come to grips with the central fact in German politics, the German Army—state within the state. Here the student of history and politics finds an encyclopedic coverage of events in the German arena based on painstaking research as well as personal contacts and observations by the author. The copious footnotes and appended biographical data contain an exhaustive "who's who" in German politics and as such represent an invaluable commentary on the events and the literature of the times. With his noted literary skill, the author has

woven into the story of the Army a history of the Weimar Republic, a description of the rise and fall of National Socialism, an excellent account of the German resistance movement, and a discussion of major phases of World War II. He has been able to utilize many important documents hitherto available only in widely separated archives, collections of personal papers, memoirs, periodical literature of several countries, and the records of the Nuremberg War Crimes Trials. It is regrettable that he was not in a position to make use of the von Seeckt and Stresemann papers, which are now available to the public in the United States.

The study commences with an examination of the position held by the Army at the end of World War I and finds that already in 1918 an "umbilical cord" existed "which bound the infant Weimar Republic to its progenitor and protector, the German Army." Soon the Army, under von Seeckt's leadership, assumed a role of supreme arbiter in the state. The magic formula which so consistently enabled the generals to wield political power with impunity was the simple pronouncement: "The Government does not have the confidence of the Army." The generals believed that the same formula could be employed with equal facility once their creation, Hitler, had outlived his usefulness. They discovered, to their everlasting regret, that in Hitler they had met their Nemesis. Once power had slipped from their grasp, some generals and a larger number of officers of lesser rank attempted to turn back the clock by joining in conspiracies against the totalitarian regime. Their attempts, valiant but quixotic and disorganized, terminated in the bloodbaths of July and August, 1944.

As a work on the German Army, and as a study of armed forces in politics, the book is indispensable reading. It is, in addition, a real literary achievement. This reviewer has but one major criticism: throughout the book, the "Army" is equated with "the Generals." This may be methodologically sound in view of the extraordinary discipline which prevailed in the old German Army. However, it seems to be debatable whether it is sound to equate certain officers of the old guard with the Army of post-1938 days. It is especially debatable whether from 1939 on the Army command was as preoccupied with the contemplation of attempts on Hitler's life as the author's preoccupation with the resistance element seems to imply. Could it be that Wheeler-Bennett succumbed to a literary temptation to emphasize the exceptional doings of exceptional men over the relatively drab routine of an Army at war?

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BOOK NOTES AND BIBLIOGRAPHY

AMERICAN GOVERNMENT AND POLITICS

Henry Cabot Lodge: A Biography. BY JOHN A. GARRATY. (New York: Alfred A. Knopf. 1953. Pp. xxiv, 433. \$6.00.)

This is a successful biography. The author had access to the Lodge papers and set out to recreate Lodge's point of view, realizing that the Senator was a controversial figure and that as an author he should avoid "the twin perils of the whitewash and the tar barrel." The gentleman from Massachusetts, known as "the scholar in politics," was elected six times to the Senate and so might qualify under Tom Reed's definition of a statesman as "a successful politician who is dead"; but this revealing record fails to prove the rating. Henry Cabot Lodge was a diligent and expert partisan, a highly trained and intelligent worker with the raw material of politics, and an effective operator of legislative techniques.

A third of this book is devoted to "one of the great rivalries of American history." The Lodge-Wilson conflict over the Versailles Treaty and League of Nations Covenant is intimately, accurately, and comprehensively told in these pages, largely in Lodge's words. There was a mutual antipathy between Wilson and Lodge, not so much personal on Lodge's side as political, for in Mr. Garraty's words—which I can confirm from Lodge himself—he regarded Democrats in power as "incompetent to transact the nation's business in a responsible way" (p. 127). In his Republican conscience Lodge knew the Democrats were going to fight the war and win the peace in the wrong way, and they largely met his expectations. He was too serious and "patriotic" not to agree or even commend when they acted right (according to his ideas). He cooled on the league of peace idea, which could easily be overdone, and he found that Wilson overdid it. Tactically, as Republican leader, Lodge's partisan task was to impose Republican coloration on a treaty and League of Nations negotiated by a Democrat. As a broker of votes in the Senate's factions he assembled the specifications, and in the end was able to point to votes which indicated that Wilson's stubbornness prevented his having a treaty made safe for the United States by the persistent efforts of Republicans. It was a very competent major operation of the parliamentary order which disregarded the merits

of the patient. Lodge's maneuvering to a successful issue is narrated with very few omissions, though the biographer, like his subject, pays very minor attention to the substance of the reservations which would or would not yield the majorities Lodge required. It is ironical, though a tribute to the inherent integrity of America, that Lodge's success in defeating an irrepressible idea marked a progressive decline in his party prestige.

Lodge was a politician the like of whom is in short supply. A well-bred, educated intellectual of independent means, he deliberately embarked on a career of public service in which there was never "a private interest which in the remotest way conflicted with or affected my performance of my public duties" (p. 282). He was in politics for 45 of his 74 years, 37 in Congress, of which 31 were in the Senate. He learned party loyalty and "practical" politics under the lash of opposition and defeat provoked by men of his own ilk, Charles W. Eliot among them. He was married to a remarkable woman, and his contemporaries divided his career into two parts marked by her death in 1915; he grew in stature with her and was less sure of himself without her.

Mr. Garraty, in using the Lodge papers, had the benefit of the memories and criticism of the Senator's grandsons. The Senator's namesake contributed some footnotes on the League fight, including one (pp. 379-82) to vindicate his grandfather's views. Senator Lodge, who sought no higher office, had his name on no legislation, but he helped mold much of the enactments of a generation in which he was a leader of his party. For all the doings of the scholar, the politician, or the man, Mr. Garraty has diligently dug out of the Lodge papers a first-hand account, seasoning the record with observations with which the normal reader will invariably agree. Seldom has the political scientist had so complete a revelation of a public man's devotion to his country as controlled by the demands of a party which he helped to formulate.—DENYS P. MYERS, *Washington, D. C.*

Federal Examiners and the Conflict of Law and Administration. BY LLOYD D. MUSOLF. (Baltimore: The Johns Hopkins Press. 1953. Pp. xii, 203. \$3.00.)

The increasing use of the hearing officer in federal regulatory activities, and the controversy about administrative justice culminating in the Administrative Procedure Act of 1946, provide the context of this study of federal examiners. Nearly a score of federal agencies have hearing officers who come within the term "examiner" as used in the Act. Perhaps the most controversial of these have been the NLRB trial examiners, although examiners play a significant role in the procedures of the FTC, CAB, FCC, FPC, SEC, ICC, and Department of the Interior, as well as several other agencies.

What makes the study of the examiner's office of more than ordinary interest to the student of law and administration is that it relates directly and dramatically to the whole controversy over the nature and scope of administrative justice. The familiar complaint that administrative justice tends to unite in one agency the functions of judge, jury, and prosecutor—and the fact that the complaint sometimes has considerable substance—has tended to focus attention on the few hundred federal examiners who find themselves at the center of this whirlwind. It is precisely in the role of the examiner and his relationship to the other officers in the agency that the practical application of the "separation of functions" drive tends to center. Is the function of the examiner properly analogous to that of a trial judge, in that he is a professionally disinterested man chosen for his judge-like qualities who is to make an initial decision on the law and the facts? This the author calls the "court tradition." Or is his role properly that of furnishing one element in a continuous and institutional process through which the agency as a whole arrives at an administrative determination required to carry out established policy? This the author calls the "agency tradition." If it is the first, he must be given a considerable degree of independence from influence by agency heads, he must be virtually isolated from other staff members in preparing his recommendations, and he must be precluded from having any part in the framing of final agency decisions. If it is the second, consultation with other staff members is proper and desirable, and participation in the final decision-making is useful.

A review of experience in the various agencies shows a wide variety of actual practice with respect to the central questions regarding the examiner's role, particularly those having to do with his isolation and his independence.

The impact of the Administrative Procedure Act on this rather unstandardized situation is summarized as follows: (1) it tends to enhance the examiner's powers in the direction of giving his report the finality of a trial judge's decision; (2) it exalts the examiner's decision through requiring that it be in writing, be accompanied by reasons, be served on the parties for comment, and be made a part of the formal record of the case. One result has been that the Supreme Court and other federal courts have increasingly been willing to reverse agency findings on the basis of examiners' reports, and in effect to uphold the examiner against the agency as though he were a trial court and the agency an intermediate appellate court. The author rightly regards this as an undesirable tendency which endangers the responsibilities of the regulatory agency.

Today, the conception of the examiner's function is "in turmoil." This has perhaps arisen out of a justifiable drive to strengthen the examiner to assure adequate performance. But in doing this, "adherents of the court tradition have either inadequately perceived or deliberately ignored the consequences for the system of agency responsibility for regulation" (p. 137). The danger is that recent judicial decisions (notably the *Universal Camera Case* in 1951) will place excessive emphasis on the examiners as trial courts and will encourage them to "go it on their own" in disregard of the importance of agency policy-making. This, in the opinion of the author, is not required by a moderate interpretation of the Administrative Procedure Act, within the framework of which it will be possible to secure a proper balance in the examiner's office. Such a development awaits an understanding of all the factors involved and "the exercise of restraint by all concerned."—VINCENT M. BARNETT, Jr., *Williams College*.

The Legislative Process in Congress. By GEORGE B. GALLOWAY. (New York: Thomas Y. Crowell Co. 1953. Pp. xii, 689. \$6.00.)

This book is "a successor to, rather than a revision of," the writer's earlier work—*Congress at the Crossroads*, published in 1946, which consisted of 374 pages in contrast to the present 689 pages. Extensive new material is added taking into account the operation of the Legislative Reorganization Act of 1946. Twenty-five chapters take the place of the original eleven, and there has been a thorough rearrangement of the subject matter. Some new chap-

ters greatly expand a number of subjects dealt with briefly in the earlier work, such as the committee system and its operation, the organization and procedure of the Senate and the House of Representatives, and the party organization within Congress. Other new chapters on control of expenditures and foreign relations, Congress and public opinion, the role of the individual congressman, Congress and the courts, and pressure politics take up matters not previously given much if any consideration. Part Four contains three chapters entitled: "The Operation of the Legislative Reorganization Act of 1946"; "Proposed Reforms in Congressional Investigations"; and "New Steps in Congressional Reform." Without doubt, the author's long and close relationship with Congress has placed him in a unique position to produce what is the most comprehensive, up-to-date, and useful single volume on the national lawmaking body. The book is indispensable for all students of American government and of the American legislative process.—O. DOUGLAS WEEKS, *The University of Texas*.

Civil Rights in Immigration. BY MILTON R. KONVITZ. (Ithaca: Cornell University Press. 1953. Pp. xii, 216. \$3.50.)

The Cornell Studies in Civil Liberty were initiated in 1946 with the publication of Konvitz's *The Alien and the Asiatic in American Law*. The most recent addition to this series is by the same author and, in part at least, on the same subject. Instead of revising his earlier book following the passage of the McCarran-Walter Immigration and Nationality Act in 1952, he decided to write a new one on the subject of discrimination in American legislation relating to the alien. This he does in three chapters dealing with admission and exclusion, deportation, and naturalization.

In these three chapters the author briefly reviews the historical development of the American policy of discrimination against the alien on account of race, color, creed, opinion, and national origin, with particular reference to the post-World War II period. The result is a critical evaluation of present policy as embodied in recent congressional legislation. The national origins formula is "most offensive" from the standpoint of both civil liberties and human rights. Aliens are sent back to their native country like "parcel post." A ten-year ineligibility for naturalization for former members of the Communist party "is too far-reaching a

sword." From these and other criticisms there can be little dissent.

On the constructive side the author makes a number of recommendations, some of which go further than those of the President's Commission on Immigration and Naturalization (1953). He suggests, for example, application of the Administrative Procedure Act to entry and exclusion, as well as deportation, cases; expulsion of aliens only where entry was fraudulent or illegal; and elimination of all but constitutional distinctions between native-born and naturalized citizens.

For the political scientist this little volume is a useful addition to the literature of civil rights in the United States. It may not be as objective or neutral as some persons would like, but perhaps, as the author points out in his preface, it may be more desirable to aim at strengthening the reader's power of conviction and his sense of social responsibility.—L. V. HOWARD, *Tulane University*.

American Constitutional Custom: A Forgotten Factor in the Founding. BY BURLEIGH CUSHING RODICK. (New York: Philosophical Library. 1953. Pp. xx, 244. \$4.75.)

It is the purpose of this study to show that "there is scarcely a single important feature of our American political system that does not bear the imprint of an earlier European tradition" (p. 1). While this debt to tradition is generally accepted as a fact, it is accepted uncritically and without sufficient appreciation of its extent. Professor Rodick, therefore, makes no small contribution in his extensive documentation of what is, if not entirely "a forgotten factor," one too seldom given its proper weight. It is not until the Jeffersonian revolution of 1800 and the subsequent western expansion that definitely indigenous political habits and customs have any appreciable development (p. 101). Prior to this beginning in the early nineteenth century of a definitely American constitutional tradition, there is practically no feature of our constitutional system without its English precedent. The electoral college was one of the very few exceptions, and to Professor Rodick it is significant that this exceptional feature was one of the first to fall into disuse (pp. 86-87).

Some of the analogies which the author draws between English history and our own would seem, however, to be somewhat accidental. It is one thing to point out that our political theory, at least directly, is almost wholly English

in origin. It is something else to draw a parallel between the Uxbridge Conference in 1644 and the Staten Island Conference in 1776 or to brand the defection of Charles Lee as the American counterpart of the plot of Edmund Waller (p. 49). The similarity of these events would seem to be entirely the result of historical accident and while the drawing of such parallels or similarities may add to the interest of the study, it contributes very little to the support of the central thesis.

In the concluding chapter Professor Rodick raises the question of why tradition was the cardinal element in our founding, why the Fathers were motivated as they were. His conclusion is that adherence to habit, custom, and tradition is one aspect of the general problem of emotional drives, and that this adherence is inseparable from such drives as acquisitiveness, gregariousness, fear, ego, religion, the procreative impulse, desire for the good life, etc. It is further concluded that changes in habit, custom, and tradition are occasioned, at least in part, by the operation of such political forces as "the stake in society principle, the iron law of oligarchy, the abuse of political power and the swing of the political pendulum" (pp. 126-28). With reference to this discussion the reviewer is in agreement with the statement of Henry Adams, quoted at the beginning of the chapter: "politics cannot stop to study psychology." It would seem sufficient that it appreciate what Professor Rodick makes so abundantly clear—that the forces of continuity and change are in constant conflict, and that while we are capable to a degree of breaking the bonds of our experience, we should do so with great caution. What is always to be sought is such a balance of these two forces as will serve the general welfare (p. 132). The problem remains of how, at any one time and place, this balance is to be effected. Here again tradition is possibly our best guide, and to the understanding of that tradition the present study is a significant contribution. It discharges quite adequately the duty which it assigns the student of political traditions: it traces "the elements of continuity in those customs that appear to be new, and the elements of change beneath the appearance of their continuity" (p. 132).—FRANK GRACE, *University of Michigan*.

The Decline of Agrarian Democracy. By GRANT McCONNELL. (Berkeley: University of California Press. 1953. Pp. 226. \$3.75.)

Agrarian democracy, in the author's view, existed in America in the 19th century, when the farmers were in the majority or nearly so. It found political expression in mass movements like the Populist party whose programs were broadly conceived in the general interest and had as their goal the limitation or fragmentation of power. The decline of agrarian democracy is equated with the growth of a power structure within agriculture itself, beginning with the county agent and the extension services of the land grant colleges and reaching its apex in the American Farm Bureau Federation. This, then, is a critical history and analysis of the Farm Bureau movement.

What is most impressive about the story, which is told with economy of detail but thorough documentation, is the sure political instinct of the Farm Bureau leadership which has understood the sources of its own strength and known how to protect them. Mr. McConnell sees the A.F.B.F. as a federation of federations of local farm elites, which despite the diversity of their regional and commodity interests have been unified by the national organization on a class basis (they are "superior farmers," in the Farm Bureau's words). Their power is consolidated through control of the publicly-subsidized county agents and extension services. Protection of this "decentralized" machinery for serving and controlling the farmers thus has been the central concern of the Farm Bureau; new farm programs must be administered through it or be destroyed. The account of the battles waged to this end sheds much light on the current farm controversies which rack the Congress and the Administration.

The book really has no conclusion. The author laments the passing of "agrarian democracy," which he knows is final. He sees cause for alarm in "the fact that the conditions of power exclude so large a part of the farm population from the benefits of the political process," and in this he is surely right. But this is by no means exclusively a farm problem. None of the great power groups in our pluralistic society represent more than a fraction of the people for whom they purport to speak. The problem of how to get adequate representation for the unorganized promises to worry us for a long time.—RALPH K. HUITT, *University of Wisconsin*.

Texas Presidential Politics in 1952. By O. DOUGLAS WEEKS. (Austin: Institute of Public Affairs, The University of Texas.

1953. Pp. x, 116. Paper, \$1.25; cloth, \$2.00.)

O. Douglas Weeks was chief Texas correspondent for the A.P.S.A.'s Cooperative Research Project on Convention Delegations in 1952. Bravely addressing himself to the staggering task of reporting on the nominating process for both parties in the state's 254 counties, he set up a clipping service on the 16 principal newspapers of the state and enlisted the cooperation of political scientists throughout the state as observers of various conventions. Countless interviews provided the rest of the data.

The book begins with a summary of Texas politics in the preceding eight years and an explanation of the convention system through which the delegates to the presidential conventions are chosen. There follows the account of the struggle from precinct to county to state conventions. The system in both parties creaked under the strain of a great rush of new voters, but the confusion was greater on the Republican side. Until 1952 the party had been a small, exclusive club; now several hundred thousand voters wanted to make it a part of the electoral process. The book's most entertaining reading deals with the unblushing fraud with which Taft-oriented leaders threw out the Eisenhower majorities from the county and state conventions.

Other chapters cover Texas in the national conventions, the campaign in the state, and an analysis of the election results. The author concludes with some penetrating skepticism about the likelihood of the election foreshadowing a real two-party system with Republican candidates for county treasurer and sheriff. When the Eisenhower Administration appointed bolting Texas Democrats to cabinet and sub-cabinet posts (Hobby and Anderson), it did not encourage the growth of the party in Texas. Many parts of the Texas election law are serious obstacles to the party. Finally, so long as Texas conservatives retain a firm grip on the state Democratic party, it is not necessary for them to organize a second conservative party.—DONALD S. STRONG, *University of Alabama*.

Renewing Our Cities. By MILES L. COLEAN. (New York: The Twentieth Century Fund. 1953. Pp. x, 181. \$2.50.)

Miles Colean draws on his long experience with municipal planning and housing to take a broad view of the problem of forestalling and eliminating urban blight. His book is packed

with revealing insights and practical suggestions for action in an area where only the valiant presume to see light.

The basic assumption is that a city resembles an organism in having a "natural" course of development which, if not interrupted, will result in constant renewal of its physical and economic structure. When blight occurs, some obstacle to this renewal has, perforce, intervened. The problem of renewal is, then, simply the identification and elimination of the obstacle to new investment. He summarizes typical obstacles, including lack of sanitary and occupancy laws, air pollution, noise, low quality of municipal services, high level of taxes, traffic congestion, strangulation of cities through archaic municipal boundaries, multiplicity of independent political jurisdictions, dispersed ownership, false values, fallacious zoning, resistance to changes in established social relations, shortage of adequate housing, racial prejudice, improper building codes, low yield on new property as compared with other types of investment, poor potentialities for reuse, and high cost of renewal operations. Such substantial causes, surely, are quite sufficient to discourage new investment where the conditions suggested occur. It may be questioned, however, whether these may not be more or less omnipresent outgrowths of the pace of technology beyond social enlightenment at the present point in the history of American society. To think of them as unnatural obstacles to an otherwise smoothly running economic mechanism reflects a theory which has long since lost most of its adherents.

Colean concludes with a nine-point program designed to insure the removal of the roadblocks noted. Despite its uncertain theoretical basis, those interested in improving urban living could hardly fail to profit by a reading of this little book.—ROBERT T. DALAND, *University of Alabama*.

Congressional Quarterly: Almanac, 83rd Congress, 1st Session—1953. Vol. IX. (Washington: Congressional Quarterly News Features. 1954. Pp. 663. \$17.50.)

For the first time the *CQ Almanac* is made available for separate purchase to those who do not subscribe to the *CQ* weekly service. It contains a concise summary of the year on Capitol Hill, including all legislative steps, individual voting records, lobby registrations, election percentages, costs of electing the Congress, reorganization orders, box score on the

President's program, and many other matters, making it altogether a complete reference manual for the first year of the 83rd Congress.

The Forging of American Socialism: Origins of the Modern Movement. By HOWARD H. QUINT. (Columbia, S. C.: University of South Carolina Press. 1953. Pp. ix, 409. \$6.00.)

This is a detailed account of conflicting and cooperating groups and ideologies which, in 1901, were forged into the American Socialist party. The reader becomes acquainted with persons who have been, if in memory at all, merely names. Issues of doctrine and program between the many "radical" groups which attempted to get a foothold in United States politics, in the organized labor movement, or among "people of good will" are clearly pointed. The author refuses to be tempted into lateral trails from which interest in socialism emerged. Setting the story of social questioning in the environment in which it was nourished might have made the socialist movements seem less isolated from the main stream of American history than they appear to be. The volume well repays reading by anyone interested in increasing his comprehension of the rich variegation of our national past.

Farm Policies of the United States, 1790-1950: A Study of Their Origins and Development. By MURRAY R. BENEDICT. (New York: Twentieth Century Fund. 1953. Pp. xv, 548. \$5.00.)

A detailed and interpretive analysis of the evolution of the varied policies of government affecting agriculture and of farmer participation in politics. Although earlier policies as to land, money, tariffs, and internal improvements are adequately summarized, over half of the volume deals with the last 25 years and a closing chapter points up the issues for the future.

Resource Conservation: Economics and Policies. By S. V. CIRIACY-WANTRUP. (Berkeley and Los Angeles: University of California Press. 1952. Pp. xi, 395. \$6.50.)

An analysis of the problem of conservation; of forces affecting depletion or conservation, such as tenancy, tax and credit systems; of the objectives and criteria of conservation policy; and of the techniques for implementing policy.

American Life: Dream and Reality. By W. LLOYD WARNER. (Chicago: The University of Chicago Press. 1953. Pp. xv, 268. \$3.75.)

As a summary for the general reader of twenty years of research on community studies, by the author of the Yankee City series, this book is disappointing. Some aspects of the American scene (*Reality*) are analyzed from a social-status or class-structure point of view, but "our hopes for a realizable future" (p. vii, *Dream*) are ignored. The promise is enticing, but the product is weak.

The Political Liberalism of the New York Nation: 1865-1932. By ALAN PENDLETON GRIMES. (Chapel Hill: The University of North Carolina Press. 1953. Pp. ix, 133.)

A review of the contribution to American political thought of the New York *Nation* over a period of nearly seventy years. The writer believes that because of a sufficient continuity of editorial policy, this periodical reflects at least one rather definite evolving segment of liberal political thought in the United States.

Olson's New Deal for California. By ROBERT E. BURKE. (Berkeley: University of California Press. 1953. Pp. xi, 279. \$4.00.)

The story of the only Democratic state administration in California during the twentieth century, that of Culbert L. Olson from 1938 to 1942, which, while unable to put through its principal reform policies, helped to give the Democratic party a new importance in California politics.

Impatient Crusader: Florence Kelley's Life Story. By JOSEPHINE GOLDMARK. (Urbana: University of Illinois Press. 1953. Pp. xii, 217. \$3.50.)

An account of the career of an indefatigable social reformer, Florence Kelley (1871-1932), who worked as Chief Inspector of Factories for Illinois, in Hull House and the Henry Street Settlement, and as General Secretary of the National Consumer's League, and had a part in founding the U. S. Children's Bureau, the National Woman Suffrage Association, and the National Child Labor Committee. She also rendered valuable assistance to Louis D. Brandeis.

Propaganda Handbook. By D. LINCOLN HARTER AND JOHN SULLIVAN. (Philadelphia: Twentieth Century Publishing Co. 1953. Pp. 440. \$5.00.)

A manual of the art of propaganda which devotes considerable space to the techniques and media of the propagandist and embodies in part a case study approach.

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FOREIGN AND COMPARATIVE GOVERNMENT

Governmental Liability: A Comparative Study.

By H. STREET. (Cambridge, England: Cambridge University Press. 1953. Pp. iv, 223. \$5.00.)

In the field of political responsibility, the maxim "The King can do no wrong" has long been paralleled (and nullified) by the fact that all the king's acts of government are performed by his ministers, who can be held to account for their actions. In the legal sphere, however, the same maxim, in the form of the doctrine of sovereign immunity, has not yielded so easily; while individual responsibility of agents of the government in this field is notoriously inadequate, even democratic governments have clung tenaciously to immunity from suit and have only slowly, and still by no means completely, assumed legal liability in a fashion comparable to that imposed upon private citizens.

Professor Street has given us a comparative study, somewhat historical but primarily analytical, of the law of government liability in Great Britain, the British Commonwealth, the United States, and France. Separate chapters deal with "Tort," "Contract," "Expropriation, Quasi-Contract and Trusts," "Remedies against the State," "Substantive Limitations on Liability of the State," and "Procedural Limitations on Liability of the State." The present situation in each of the countries discussed is far from satisfactory. Although he has kind things to say about French *droit administratif*, the author is unable to accept its frequent panegyrics at face value. "French legal administration," he declares, "is hamstrung by a blind unreasoning adherence to a 200-year old doctrine of political conduct, the separation of powers" (p. 76). Among the bad results of this doctrine are an

"excessive respect for the political branch" and "too much uncertainty about the principles of liability" (p. 77).

The realm of torts has for long been the area in which government liability in Britain and the United States has been most lacking. Each country has recently moved to improve this situation—Great Britain by the Crown Proceedings Act (1947) and the United States by the Federal Tort Claims Act (1946). Professor Street shows, however, that both acts leave a great deal to be desired. They are shot through with ambiguities and exceptions. How true this is of the United States statute has been illustrated by a Supreme Court decision announced since Professor Street's monograph came from the press. This 4-3 decision, in *Dalehite v. United States*, 346 U.S. 15 (1953), dismissed claims growing out of the devastating explosion of two ships being loaded with explosive chemicals at Texas City, Texas, in 1947. Mr. Justice Jackson, dissenting, was moved to remark: "Surely a statute so long debated was meant to embrace more than traffic accidents. If not, the ancient and discredited doctrine that 'The King can do no wrong' has not been uprooted; it has merely been amended to read, 'The King can do only little wrongs'" (p. 60).

In addition to painstaking analysis of existing law, the author provides suggestions for reform. This book is a valuable contribution to the study of comparative law and should be of great use to all who would help continue the process of subjecting governments to the rule of law.—J. ROLAND PENNOCK, *Swarthmore College*.

The Administrative Reforms of Frederick William I of Prussia. BY REINHOLD AUGUST

DORWART. (Cambridge, Mass.: Harvard University Press. 1953. Pp. xvii, 250. \$4.00.)

This work is an historical study by an historian. The reviewer lacks both the language skill and the historical knowledge to comment critically upon it as a study in eighteenth-century Prussian history. Judged impressionistically, however, it meets the tests of thorough, careful scholarship. The narrative is presented in a competent, no-nonsense style; the footnotes are impeccable and informative; and charts, appendix, and a critical bibliography increase the usefulness of the work. The title, moreover, is over-modest: the administrative reforms of Frederick William I (highlighted by the creation of the General Directory in 1723) are skillfully presented in the perspective of previous and subsequent events in Prussian administrative development. Students of administration will welcome the work to the small and slowly growing list of competent administrative histories.

To this reviewer, a peculiar feature of the work is the absence of any direct use of—or even reference to—either recent literature of a general nature in the field of public administration or the various conceptualizations of “bureaucracy” by the sociologists. While use of contemporary “professional” administrative terminology in the narrative might be criticized on the grounds that it would distort the facts, giving a “sharpness” that was in fact not present, it is puzzling why there was no explicit use of the Weberian conceptualization of bureaucracy: here was a case study that (apparently) fitted precisely the pattern described. It is puzzling also why there is no reference to Ernest Barker’s *The Development of Public Services in Western Europe, 1660–1930*—though there are frequent and competent references to and comparisons with administrative developments in other Western European countries.

To say the least of it, however, the author had the right to choose his own idiom and frame of reference, and had no obligation to scratch the reviewer’s particular intellectual itches more sharply than he does. As it stands, though his book is not addressed to students of administration, he has still succeeded in putting them in his debt.—DWIGHT WALDO, *University of California (Berkeley)*.

Courts, Lawyers and Trials under the Last Three Tsars. By SAMUEL KUCHEROV. (New York:

Frederick A. Praeger. 1953. Pp. xii, 339. \$6.00.)

The reform of the judiciary (1864) and that of the army (1874) were the two immediately successful ones of the so-called “great reforms” of Alexander II. Curiously, the emancipation of the serfs (1861), which provided the foundation for all subsequent reforms, made at first no appreciable change in the economic and social (as distinct from legal) status of the peasantry.

The administration of justice, however, was revolutionized by the Statutes of 1864. Samuel Kucherov, a former member of the Russian bar, has written a solid, informative, well-documented, and at times highly moving account of the evolution of the Russian judicial system from the pre-reform days to the advent of the Soviet government. A jurist of erudition and vision, the author illuminates his narrative by drawing enlightening parallels between the Russian and the Western European and American judicial institutions and practices. He emphasizes the virtues of the law courts created by the Statutes of 1864, and he makes clear the inevitable conflict resulting from the incompatibility of an independent judiciary with the traditional omnipotence of an absolutist bureaucratic government. It is this conflict that gave the Russian courts their social significance as the only agencies where, in periods of reaction, freedom of speech was tolerated and protest against political and social inequities could be heard. Hence the enhanced prestige and responsibility of the Russian bar, the organization, complexion, and functions of which Mr. Kucherov discusses in detail.

The lay reader will find particularly interesting Mr. Kucherov’s extensive summaries of the more important political trials held under the empire. While the perorations of the defense counsels, which are quoted at length, may appear at times a trifle rhetorical and over-emotional, the latitude allowed by the court to the defense was truly admirable, and inescapably invites invidious comparisons with the dreary routine of Soviet political trials.

Mr. Kucherov has successfully performed an exacting and important task. Judicious literary editing, however, would have greatly added to the readability of his excellent volume.—MICHAEL T. FLORINSKY, *Columbia University*.

European Political Systems. EDITED BY TAYLOR

COLE. (New York: Alfred A. Knopf. 1953. Pp. xxxiii, 699. \$6.00.)

A new comparative government text by an extremely able group of scholars. It is organized in the traditional country-by-country manner and includes sections on Russia, the satellites, Germany, Italy, Britain, and France. Adequate materials on constitutions and political institutions are included, but the authors have worked on the assumption that these can be made meaningful only by prior investigation of the economic, cultural, and historical determinants within the society. Much more attention than is customary is given to matters of ideology and political theory and the analyses of the systems of government are made deeper and richer in consequence.

Etat des périodiques officiels français. Liste des revues, journaux et bulletins statistiques des assemblées parlementaires et des administrations centrales à la date du 1^{er} janvier 1952. (Paris: Bibliothèque Nationale. 1953. Pp. 39.)

For the first time there is available in a single place a full list of the official periodical publications of the French government, 171 in number. The list begins with the *Journal officiel*, the parliamentary assemblies, the Présidence du Conseil, and follows with the Ministries in alphabetical order. For each title is given so far as possible the date of the first issue, frequency, the editing and distributing agencies, the cost when available on subscription, and a brief note as to the content. The list was reprinted from the *Bibliographie de la France*, Sept. 11-25, 1953. There is promise of further lists for the annual and other serial publications of the central government, all the periodicals and serials of the local authorities, of the French Union overseas, and of "établissements publics."—J.B.C.

Villes et Campagnes: Civilisation urbaine et Civilisation rurale en France. ASSEMBLED BY GEORGES FRIEDMANN. (Paris: Librairie Armand Colin. 1953. Pp. xxiv, 480. 1200 fr.)

A series of round-table discussions on urban and rural civilization in France by French sociologists and other scholars interested in sociology held during "Sociological Week" (organized by the *Centre National de la Recherche Scientifique*) in Paris in March, 1951.

Canadian Government Publications Consolidated Annual Catalogue 1953. BY OFFICE OF SUPERVISOR OF GOVERNMENT PUBLICATIONS. (Ottawa: Queen's Printer. 1954. Pp. xvi, 578. \$1.00.)

The first annual catalog is actually only a cumulation for the English language documents of the *Monthly Catalogue* from January to September, 1953, with the addition of all other Canadian official publications in English, in print as of September, 1953. The Supervisor of Government Publications also issues a *Daily Checklist*, which appears every day except Saturdays, Sundays, and holidays. On pages 37-41 is a very useful list of the royal commission reports so far as these are available in print. For the French language official publications a separate annual catalog is being prepared.—J.B.C.

Interdepartment Committee on Social and Economic Research. *Guides to Official Sources, No. 3: Local Government Statistics.* (London: H. M. Stationery Office. 1953. Pp. v, 34. 1s. 6d.)

The *Guide* emphasizes the general and financial statistics of local government in the United Kingdom, and gives a well-balanced picture of the material available, unpublished as well as published. There is an historical sketch. Currently, the main reliance is on the statistics collected and published by the Ministry of Housing and Local Government. There is also a summary of the statistics collected by other departments as well as a statement of the nongovernmental returns prepared by the Institute of Municipal Treasurers and Accountants, Society of County Treasurers, Rural District Councils' Association, etc. The first of the *Guides to Official Sources* dealt with labour statistics, and the second with census reports of Great Britain, 1801-1931.—J.B.C.

Le Parti Libéral dans le Système Constitutionnel Britannique. BY ALBERT MABILEAU. (Paris: Librairie Armand Colin. 1953. Pp. vii, 349. 1100 fr.)

The study of the Liberal party in the twentieth century is representative of the growing interest among French scholars in the analysis of party politics; it is issued by the *Fondation Nationale des Sciences Politiques*. Attention is devoted to the activities of the parliamentary party, to the decline of the

party's electoral support, to the relation of the party to Labour, and—most important—to the recent ideological dilemma of the Liberals.

The Passing of Parliament. By G. W. KEETON. (New York: Ernest Benn, Ltd. John de Graff, Inc., Distributor. 1952. Pp. vii. 208. \$4.50.)

The theme of this book is that the basic principles of parliamentary sovereignty and rule of law have been undercut by "continual and relentless encroachments of the executive" which resulted from the expansion of the suffrage, the trend to collectivism, and the planned society—and that this rise of the executive threatens personal freedom and security and brings England to "the threshold of tyranny." It thus follows the line of Lord Hewart's argument but adds later court cases and legislation and much reference to a possibility that England could move down "The Road to Moscow" (the title of Ch. 2).

The Machinery of Justice in England. By R. M. JACKSON. (New York: Cambridge University Press. 1953. Pp. ix, 372. \$8.50.)

This volume seeks to explain both for lawyer and layman the principles and organization of the English legal system. The second edition has been wholly rewritten to take account of important developments since the first issue in 1940.

The Government of the Swiss Republic. By RAMESH CHANDRA GHOSH. (Calcutta: The World Press, Ltd. 1953. Pp. ix, 192. 10s. 6d. net.)

A well-rounded discussion of the structure and operation of Swiss political institutions by a lecturer at the University of Calcutta. Unfortunately, his almost uncritical admiration for everything Swiss, coupled with his obvious dislike of the American presidential system (which he denounces as "suffering from bitter party rivalry, sudden change in home and foreign policy, too much concentration of power in the hands of a single individual, noisy conventions, corrupt patronage, undemocratic rings, bosses and caucuses"), leads at times to exaggeration of the merits of the Swiss system.

Constitutions, Electoral Laws, Treaties of States in the Near and Middle East. By HELEN MILLER DAVIS. (Durham: Duke University Press. 1953. Pp. xxii, 541. \$7.50.)

A useful reference book on the legal basis of political institutions and relations of the states from Egypt eastward through Afghanistan.

Deutschland Heute. Mit einem Geleitwort von Bundeskanzler Dr. Konrad Adenauer. Herausgegeben vom Presse- und Informationsamt der Bundesregierung. (Wiesbaden: Wiesbadener Graphische Betriebe. 1953. Pp. 416. DM 12.50.)

The official report on the Federal German Republic of today and developments since May, 1945 embraces the political, economic, social, and cultural aspects, as well as the international aspects such as are treated in the chapter on the European Coal and Steel Community (pp. 305–313).—J.B.C.

Amtliches Behördenverzeichnis. Stand Juni 1953. Herausgegeben vom Statistischen Amt des Saarlandes. (Saarbrücken: Einzelschriften zur Statistik des Saarlandes, No. 8. 1953. Pp. 54. 200 fr.)

Although the Saar has had its own government for more than five years, the above is the first official directory showing the organization of the administration with the ministries and their subordinate agencies, local government bodies, "Körperschaften des öffentlichen Rechts," non-Saar offices located in the Saar, and church bodies. Street addresses and telephone numbers are given, but not the names of officials. A folded chart shows the organization of the ministries. There is an index by name of agency and catchword.—J.B.C.

Central European Democracy and Its Background: Economic and Political Group Organization. By RUDOLF SCHLESINGER. (New York: Grove Press. 1953. Pp. xiv, 402. \$5.00.)

A study of political developments in Germany and Austria from 1862 to 1938 (and to a lesser extent in Czechoslovakia after 1918) with emphasis on interconnections between political and economic group organizations. The "lesson" the author seems to derive from his study is that "the sectional mass movement, unless it gives birth to something which outgrows its limitations, is incapable of creating the setting in which its inherent potentialities can develop."

The Rebirth of Austria. By RICHARD HISCOCKS. (New York: Oxford University Press. 1953. Pp. ix, 263. \$3.50.)

A general account of political, economic, social, and cultural developments in Austria from 1945 to early 1953, with only slight attention to political institutions.

Federal Government Gazette, Federation of Rhodesia and Nyasaland. Vol. 1, No. 1, 4th September, 1953. (Salisbury: Government Printer.)

The first issue of the Federation gazette publishes the Federation of Rhodesia and Nyasaland (Constitution) Order in Council, August 1, 1953, the Federation of Rhodesia and Nyasaland (Commencement) Order in Council, and the Royal Instructions. The Constitution provides that the Federation consisting of Southern Rhodesia, Northern Rhodesia, and Nyasaland "shall be known as the Federation of Rhodesia and Nyasaland" until and unless the Federal legislature otherwise enacts. —J.B.C.

Current Soviet Policies: The Documentary Record of the Nineteenth Communist Party Congress and the Reorganization after Stalin's

Death. EDITED BY LEO GRULIOW. (New York: Frederick R. Praeger. 1953. Pp. xiv, 269. \$6.00.)

An English translation of Stalin's "Economic Problems of Socialism in the USSR," of the proceedings of the Nineteenth Communist Party Congress, and of related documents as well as of selected materials on early post-Stalin developments (up to April 7, 1953). The volume includes an explanatory introduction by the editor and a glossary of some Soviet terms.

The Peoples of the Soviet Far East. BY WALTER KOLARZ. (New York: Frederick A. Praeger. 1954. Pp. xii, 194. \$4.50.)

Based on necessity almost entirely on Russian sources, this is, nevertheless, an excellent brief report of the ways in which the Soviet government has spread its control over Asian Russia, and has destroyed or bent to its purposes the various ethnic groups that, almost without exception, have been unable to withstand the political power and economic pressure of the new "colonizers."

SELECTED ARTICLES AND DOCUMENTS ON FOREIGN AND COMPARATIVE GOVERNMENT

WILLIAM H. ROBERTS

Catholic University of America

General

Appleby, P. H. Bureaucracy and the Future. *Annals of the Academy of Political and Social Science.* March, 1954.

Arendt, H. Ideology and Terror: A Novel Form of Government. *Review of Politics.* July, 1953.

Aron, R. Philosophie et Tactique du Fédéralisme. *Fédération.* November, 1953.

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INTERNATIONAL LAW AND RELATIONS

Beyond Containment. BY WILLIAM HENRY CHAMBERLIN. (Chicago: Henry Regnery Company. 1953. Pp. vi, 406. \$5.00.)

A substantial portion of this book deals with conditions inside Russia from the Revolution to the present. Chamberlin's account covering the 1920's and early 1930's is a repetition of what he has reported at greater length in a less biased way in books published many years ago. According to the current account, conditions are so dreary that one is led to believe that life was much better under the Czars, and the reader is not prepared for Chamberlin's incidental admissions of Russia's contemporary technological and industrial power and rising living standards. Chamberlin's purpose is to suggest that discontent among the masses and among the non-Russian nationalities inside the U.S.S.R. may be so great as to invite a

policy of liberation. However, having taken his readers up the hill he promptly marches them down again, for he concedes on page 296 that for practical purposes containment is probably the only feasible course in Europe, and he declares flatly that under present conditions it would be "insane rashness" to precipitate an armed clash. However, Chamberlin offers sound advice should a clash ultimately come: to fight an intelligent political war along with a military one and to avoid the "Unconditional Surrender fiasco" of the late war.

Most of Chamberlin's book is a rehash of history, of history told more objectively in scores of other books. There is a sketch of American-Russian relations from the eighteenth century to 1945, in which we are informed that the Monroe Doctrine at the time

of its promulgation was aimed not primarily at the restored Bourbons of France and Spain but at Russia, and that Thomas Jefferson, who never set foot in Russia, was "the first American Ambassador" to St. Petersburg. On pages 51 and 52 the suggestion is made that if Roosevelt had not encouraged Britain and France to get into the Second World War and that if the Western powers had simply ignored Hitler, Hitler would have invaded Russia, both Germany and Russia would be weaker today, and not only America but also Britain and France would stand secure and strong in a safe world. We are led to believe that Russia is dominant in Eastern Europe and the Balkans merely because of Yalta rather than because her position, along with American primacy in Greece, Italy, Western Europe, and Japan, represents the actual power situation in the world today, reflecting geography, armed might, and the collapse in 1918 and 1945 of traditional "balancers." There is a perfunctory account of the Marshall Plan and NATO, and a grudging admission that these measures have been effective, although Chamberlin leaves the impression that the best promise of European strength lies in the free enterprise systems of Switzerland, Belgium, and West Germany. According to Chamberlin, Russia secured "complete political domination of China" mainly because of the ineptitude (or worse) of American foreign policy. Chamberlin fails to tell us that the middle way was indigenously weak in China and that not a single leading American, not even General Wedemeyer, proposed sending American armed forces to try to save Chiang Kai-shek during the critical years from 1946 to 1949. More important than hindsight and retroactive judgments on China policy would be constructive suggestions of social policies and military measures designed to save Indochina from the Communists, but Chamberlin, who saves his ammunition for the "ifs" of history after they are safely past, conveniently ignores this.—WILLIAM G. CARLETON, *University of Florida*.

Japan's Role in Southeast Asian Nationalist Movements, 1940-45. BY WILLARD H. ELSBREE. (Cambridge: Harvard University Press. 1953. Issued under the Auspices of the Institute of Pacific Relations. Pp. v, 182. \$3.25.)

In this study, the author analyzes the role the Japanese occupation played in the development of nationalist movements in Southeast

Asia during World War II. He first gives an outline analysis of Japanese plans for the political framework of the Greater East Asia Co-Prosperity Sphere, and traces at some length the factors which conditioned subsequent revisions of the "blueprint." The author's general thesis is that Japan underestimated the importance and strength of nationalism and failed to make full use of this force in prosecuting her administration of the occupied areas. The nature and extent of political participation in Indonesia are then analyzed, at national and local levels, as factors in enhancing national unity and centralization, in the context of the changing fortunes of the military situation. It is the author's conclusion that Japanese appreciation of the nature, strength, and importance of the nationalist movements advanced progressively as the military situation took a more critical turn for Japan. Separate treatment is given to the question of minorities (Chinese, Indians, and Karens) in the program of Japanese occupation insofar as they affected the central problem of nationalist movements in Southeast Asia.

This is a well-balanced and adequately documented work in an important pioneer field. When a series of intensive case studies covering each of the regions of the entire area covered in this study is available, we shall be in a better position to appraise more comprehensively the role Japanese occupation played in rendering the nationalist movements so revolutionary and explosive throughout the area following Japanese surrender.

A word or two, not so much in criticism as by way of suggestion, may be in order. The shattering of the old myth of the impregnability of the white man's rule, so dramatically symbolized in the fall of Singapore and the collapse of the Netherlands Indies in the initial stages of the war, was responsible, perhaps more than any other single factor, for reducing the political prestige of the old colonial powers beyond repair and for rendering the postwar return of British, French, and Dutch masters to their former positions in Southeast Asia impossible, even following the "unconditional surrender" of Japan. The reviewer feels that the author perhaps should have given more attention, in his introductory chapter, to such factors operating primarily on the international scene, against the background of which nationalist movements took on specific patterns and concrete significance.

Also, perhaps a little more systematic analysis of the sociopolitical factors already operating throughout the area at the time of the outbreak of the war should have been attempted.—TATSUJI TAKEUCHI, *Columbia University*.

Les Publications Officielles des Institutions Européennes. BIBLIOGRAPHIE ÉTABLIE PAR MICHEL ROUSSIER . . . AVEC LA COLLABORATION DE MARYVONNE STEPHAN. (Paris: Dotation Carnegie pour la Paix Internationale. 1954. Pp. 73.)

Monsieur Roussier's bibliography is devoted to the official publications of the European bodies striving after the Second World War to build a United Europe, and includes in chronological order of establishment Benelux, Comité de Coopération Economique, Organisation Européenne de Coopération Economique, Groupe d'Études pour une Union douanière européenne and Conseil de coopération douanière, Organisation du Traité de Bruxelles, Conseil de l'Europe, Organisation du Traité de l'Atlantique Nord, Communauté Européenne du Charbon et de l'Acier, and the Assemblée ad hoc chargée d'élaborer un projet de traité instituant une communauté politique européenne. Under each body is given a brief note as to the establishment. Roussier has attempted to be as inclusive as possible for the publications of these bodies, whether printed or mimeographed, periodical or not, administrative, technical, or popular. No systematic provision has been made by any of these bodies for the deposit of all their documents in a library, national or parliamentary, in each of the participating countries.—J.B.C.

The Multi-state System of Ancient China. By RICHARD LOUIS WALKER. (Hamden, Conn.: The Shoe String Press. 1954. Pp. xii, 135. \$3.50.)

Basing his conclusions on extensive research in Chinese as well as European language materials, the author has completed a study of the state system in China during the Ch'un Ch'iu Period (722–481 B.C.), which he hopes will be useful for students of modern international relations as well as sinologists. Some may doubt whether such terms as "sovereignty" or "totalitarian" can be used to describe accurately Chinese feudal institutions of nearly three thousand years ago. None will contest that Walker has consciously underlined the well-known statement by

Benedetto Croce: "All true history is contemporary history."

Trade and Diplomacy on the China Coast: The Opening of the Treaty Ports, 1842–1854. By JOHN KING FAIRBANK. (Cambridge: Harvard University Press. 1953. Vols. I and II. Pp. xiii, 489; 88. \$7.50.)

A detailed study of the beginnings of the commercial and political penetration of China by the West, of far more than specialized interest because of the author's understanding and description of the interplay of Oriental and Western ideas, and of the Western clash with Chinese social and cultural standards—especially in the treaty ports. The research on this work has stretched over a long period of time, and Professor Fairbank has made much use of Chinese materials available to him in Peking as long ago as 1932; the small second volume is devoted solely to sources, bibliography, and a glossary of Chinese names and terms.

Canada and the Far East: 1940–1953. By H. F. ANGUS. (New York: Institute of Pacific Relations. 1954. Pp. x, 129. \$3.50.)

This is an analysis primarily of Canadian policy toward the countries and problems of southern and eastern Asia, though it is framed in the broader context of general foreign policy. It deals with public opinion as well as government policy and draws upon both government documents and periodicals. The work is organized on a functional rather than a country-by-country basis and serves as a continuation of A.R.M. Lower's *Canada and the Far East, 1940*.

Contemporary World Politics. By NORMAN HILL. (New York: Harper and Bros. 1954. Pp. xvi, 714. \$6.00.)

This well-written new volume does not develop a theory of international politics and it avoids the lengthy historical and country chapters that add bulk to so many texts. The author leads off with a description of the state system and the nature and conduct of international relations, disposes of the historical and area background in 70 pages, and then in a lengthy section entitled "Motivations and Forces" takes up a series of key topics: national interest, national power, geography, imperialism, nationalism, ideology, technology, population, etc. The final section considers the place of war in international deal-

ings and the various attempts or proposals to limit or to eliminate it.

A Concise History of the Law of Nations. BY ARTHUR NUSSBAUM. (New York: The Macmillan Co. 1954. Pp. xiii, 376. \$5.00.)

A revised edition of a book first published in 1947. In comparison with the first edition more space is given to developments in the Middle Ages and in Russia, and a new appendix is added in which the author takes sharp exception to J. B. Scott's writings on the superiority of the Spanish scholastics over Hugo Grotius.

Survey of International Affairs: 1938. Vol. III. BY R. G. D. LAFFAN ET AL. EDITED BY VERONICA M. TOYNBEE. (London, New York, Toronto: Oxford University Press. 1953. Pp. xiv, 622. \$9.50.)

Still catching up on the prewar years, this volume of the Royal Institute's 1938 *Survey* deals with northeast Europe, the Soviet Union, the Balkans, the aftermath of Munich, and the rearmament efforts of Germany, Britain, and France.

The World the Dollar Built. BY GUNTHER STEIN. (New York: Monthly Review Press. 1953. Pp. 288. \$4.00.)

The author's argument runs as follows: world stability and prosperity depend upon how and how well the U. S. manages its economic affairs, but this country has not found a way to sustain high production and full employment except by spending for rearmament (or even war); if the world is to avoid being led to economic crisis and a likely military solution to the crisis, the U. S. must be persuaded to tamper with its free-enterprise system by various methods, including "priming" by international spending and development.

American Economic Policy toward the Philippines. BY SHIRLEY JENKINS. WITH AN INTRODUCTION BY CLAUDE A. BUSS. (Stanford: Stanford University Press. 1954. Pp. viii, 181. \$4.00.)

The background and present state of the Philippine economy, surveyed especially and rather critically in terms of its U. S. orientation and the favored position granted U. S. business in the islands; the author is somewhat more pessimistic of the Republic's economic

future than is Professor Buss, who contributes a politico-economic introduction.

Japan and America: From Earliest Times to the Present. BY LAWRENCE H. BATTISTINI. (New York: The John Day Co. 1954. Pp. x, 198. \$3.00.)

A highly condensed and factual summary of the relations between Japan and the U. S. since Perry's visits in 1853 and 1854; the author has been in Tokyo since 1946, first with SCAP and now as lecturer at Sophia University.

The Decline of Neutrality, 1914-1941: With Special Reference to the United States and the Northern Neutrals. BY NILS ØRVIK. (Oslo: Johan Grundt Tanum Forlag. 1953. Pp. 294.)

A slightly condensed Wisconsin doctoral dissertation by a Norwegian student, who examines the concept of neutrality and studies its evolution through World War I and the interwar period with specific reference to a large and a small power, the U. S. and Norway. In both cases neutrality failed; the U. S. was too big to abstain from world influence, and Norway was economically and militarily unable to support such a policy.

America Faces World Communism. BY ANTHONY TRAWICK BOUSCAREN. (New York: Vantage Press. 1954. Pp. viii, 196. \$5.00.)

World War III began in Greece in 1944, U. S. policies have never really faced up to this fact because of the influence of Communists and their sympathizers upon official and public opinion, and the only hope for victory is for the U. S. to build up the entire non-Soviet world "with a view not of appeasement or containment-coexistence, but of an offensive leading to the ultimate cutting of the Soviet cancer from the world body politic."

Nationalism and Communism in East Asia. BY W. MACMAHON BALL. (Melbourne: Melbourne University Press; New York: Cambridge University Press. 1953. Pp. viii, 210. \$4.50.)

An Australian political scientist, long involved with Far Eastern affairs, offers his own succinct explanation of the nationalist movements in ten Asian countries and of the effect of communism on those movements.

The Dutch Colonial System in the East Indies.

By J. J. VAN KLAVEREN. (The Hague: J. J. van Klaveren. 1953. Pp. 230. \$4.00.)

An extremely detailed and chronological study, based on Dutch sources.

The Struggle for Kashmir. By MICHAEL BRECHER. (New York: Oxford University Press. 1953. Published under the auspices of the Canadian Institute of International Affairs and the Institute of Pacific Relations. Pp. xii, 211. \$5.00.)

An exhaustive review of the documentation, especially UN, on this subject, plus eight months of investigation in Kashmir, Pakistan, and India, have produced a handy guide to developments within and the protracted negotiations over this contested region. The book concludes in early 1953 with no indication of Sheikh Abdullah's forthcoming displacement.

The Refugee in the Post-War World. By JACQUES VERNANT. (New Haven: Yale University Press. 1953. Pp. xvi, 827. \$6.00.)

A detailed survey of a far-reaching, tragic, and often ignored problem, carried on in collaboration with various international agencies and supported by a Rockefeller Foundation grant, but bearing no marks of "official" editing. Part I treats the origin of the problem, briefly considers the work of the numerous international agencies in this field, and attempts to place the refugees in categories. The remainder of the book analyzes the position or reception of the refugee in some 40 nations.

Austria's International Position, 1938-1953: The Re-establishment of an Independent Austria. By CARY TRAVERS GRAYSON, JR. (Genève: Librairie E. Droz. 1953. Pp. xvi, 316. 15 fr.)

After a brief review of Austria's position from 1918 to 1938 and an examination of her fate under German rule, the author concentrates on a comprehensive study of her international status from 1945 to 1953. Twenty-nine documents pertinent to the topic and a bibliography are appended to the volume.

The Price of Freedom: Greece in World Affairs, 1939-1953. By DIMITRIOS G. KOUSOULAS. (Syracuse: Syracuse University Press. 1953. Pp. xi, 210. \$4.00.)

Details of the Italian attempts on the Balkans in the early stages of World War II, the Nazi occupation, internal postwar politics,

and the international power struggle over Greece, as analyzed by a young Greek now studying at Syracuse.

Soviet Documents on Foreign Policy: Volume III. 1933-1941. EDITED BY JANE DEGRAS. (London, New York, Toronto: Oxford University Press. 1953. Pp. xxii, 500. \$8.50.)

The areas of growing Soviet concern show up clearly in this collection of official and public documents, speeches, and press releases, but much of the important material on this crucial period must still remain unpublished in whatever archives the Soviet foreign office maintains.

The Incompatible Allies: A Memoir-History of German-Soviet Relations, 1918-1941. By GUSTAV HILGER AND ALFRED G. MEYER. (New York: Macmillan Co. 1953. Pp. xiii, 350. \$5.00.)

Mr. Hilger was on the staff of the German Embassy in Moscow from 1918 to 1941. During those eventful twenty-three years he took part in practically all the deals between Germany and Soviet Russia and became more or less acquainted with a great many important figures in the shifting Soviet political scene. With the aid of his co-author, Professor Meyer, he provides a lively narrative of his experiences and offers a number of interesting insights into the devil's kitchen of the Nazi-Soviet chefs.

Soviet Economic Policy in Postwar Germany: A Collection of Papers by Former Soviet Officials. EDITED BY ROBERT SLUSSER. (New York: Research Program on the U.S.S.R. 1953. Pp. xx, 184.)

Seven former Soviet officials describe the behavior of Soviet occupation armies and authorities in Germany. Various chapters deal with the dismantling of German factories, confiscation of livestock, requisitioning of grain, Soviet agricultural policies, exploitation of German uranium mines, etc.

Diplomacy in a Whirlpool: Hungary between Nazi Germany and Soviet Russia. By STEPHEN D. KERTESZ. (Notre Dame, Ind.: University of Notre Dame Press. 1953. Pp. xvi, 273. \$4.75.)

A well-documented study of Hungarian foreign policy since 1918, with special emphasis on the period beginning with 1938, written by a former Hungarian diplomat. Based both on published materials and on the author's personal experiences.

The Struggle for Poland. By H. PETER STERN. (Washington: Public Affairs Press. 1953. Pp. 79. \$2.00.)

A brief account of the struggle between East and West for the control of Poland, based mainly on memoirs of various participants in the struggle—Polish, American and British—and on collections of official documents.

Ukraine under the Soviets. By CLARENCE A. MANNING. (New York: Bookman Associates. 1953. Pp. 223. \$3.50.)

Using primarily materials prepared by a group of displaced Ukrainian professors, the author describes in a series of twenty-five short chapters the developments in the Ukraine under Soviet rule, including not only political and economic developments but also such matters as literature, culture, and religion. He concludes with an ardent appeal for a free Ukraine.

Ukrainian Communism and Soviet Russian Policy toward the Ukraine: An Annotated Bibliography, 1917-1953. By JURIJ LAWRYNENKO. (New York: Research Program on the U.S.S.R. 1953. Pp. xxviii, 454.)

An exhaustive compilation of works (mostly in the Russian and Ukrainian languages) dealing directly or indirectly with the above topics. The author is a Ukrainian *émigré* scholar.

Soviet Empire: The Turks of Central Asia and Stalinism. By OLAF CAROE. (London: Macmillan & Co., Ltd.; New York: St. Martin's Press. 1953. Pp. x, 300. \$5.00.)

A study of past and current developments in five Soviet Republics in Central Asia inhabited mostly by Moslems of Turkish stock. The author's avowed purpose is to "weigh old influence with new and estimate the part which these peoples are destined to play in the strug-

gle between the Communist World and the West." On the whole, he doubts that Soviet rulers will be able to assimilate completely the nations of Central Asia.

The Allies and the Russian Revolution: From the Fall of the Monarchy to the Peace of Brest-Litovsk. By ROBERT D. WARTH. (Durham, N.C.: Duke University Press. 1954. Pp. vi, 294. \$4.50.)

Delving with painstaking care into a mass of materials ranging from official documents and memoirs to newspaper reports, the author offers a detailed but never dull account of the chequered relations between Russia on one side and the Allies, as well as the Germans, on the other from March, 1917 to March, 1918. His study seems to bear out his major conclusion: "Allied policy and diplomacy in the period concerned was based on an almost total lack of understanding of the forces and events of the Russian Revolution. The Allies—like the Central Powers—were primarily concerned with the efficient conduct of the war, but the idealistic reasons for which they were supposedly fighting were nowhere more glaringly contradicted in practice than by their Russian policy—in regard to both democratic and Bolshevik Russia."

The Great Powers and Eastern Europe. By JOHN A. LUKACS. (New York: American Book Co. 1953. Pp. xii, 878. \$7.50.)

A study of international politics of Central-Eastern Europe from 1934 to 1945, with a brief survey covering the period 1917-1933. Includes a helpful bibliography.

Institutes of International Affairs. (New York: Carnegie Endowment for International Peace. 1954. Pp. vi, 131. \$1.25.)

Concise sketches of the purposes and activities of institutes existing in all countries.

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H. ARTHUR STEINER*

University of California (Los Angeles)

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POLITICAL THEORY, RESEARCH, AND METHODOLOGY

The White Umbrella: Indian Political Thought from Manu to Gandhi. BY D. MACKENZIE BROWN. (Berkeley and Los Angeles: University of California Press. 1953. Pp. xv, 205. \$3.75.)

This book contains excerpts from the most representative Indian writings on politics from ancient to modern times. Professor Brown contributes an historical-cultural background, a concise analysis of the nature of Indian thought, an introduction to each group of selections, and a set of useful notes. Much of the old writings consists of instructions to practicing politicians, especially kings. Much of the modern writing, inspired by the struggle for freedom, is political propaganda, albeit of high caliber.

One of the services this book can render is to disabuse our contemporary Kiplings of the idea that East cannot meet West. The fundamental nature and the range of Indian and Western political thought are remarkably similar in many respects throughout the ages. There are idealists and Machiavellians among the Indians. There is, for instance, little of the much vaunted Asian spirituality, peacefulness, or forgiveness in the admonition of the *Santi-parvan*: "One should bear one's foe on one's shoulders as long as time is unfavorable. When, however, the opportunity has come, one should break him into fragments like an earthen jar on stone."

Professor Brown wisely warns that there may be a discrepancy between Indian political thought and contemporary political practice. He might also have warned that these brief excerpts cannot give a complete picture of their writers' thoughts. This is particularly true of the moderns whose inner conflicts between ancient Indian and modern Western influences are not reflected in the book. An advantage of the brevity of this volume is that teachers of theory may be induced to make it required reading. For it is high time for us to

realize that the West has no monopoly on political thought and that the politics of the East are not any more mysterious than those of the West.—WERNER LEVI, *University of Minnesota*.

French Corporative Theory, 1789–1948: A Chapter in the History of Ideas. BY MATTHEW H. ELBOW. (New York: Columbia University Press. 1953. Pp. 222. \$3.75.)

Ever since the autonomous organization of national production, as proposed by the Italian syndicalist and former I. W. W., Rossoni, was perverted into Mussolini's system of state-controlled, joint labor-management corporations, the term corporatism has fallen into disrepute—a disgrace which Pétain's similar experiment did nothing to alleviate. Some recent writers have been trying to cleanse the term of its fascist taint and to demonstrate the long and honorable tradition of corporatist thought. In his *German Theories of the Corporate State* (New York, 1947), Ralph H. Bowen did so with distinction, tracing the anti-revolutionary romanticist tenets of what may be called "the third camp," equidistant from both *laissez-faire* and Marxist *étatisme*, back to St. Thomas and forward to the well-known encyclicals of Pope Leo XIII. Now a disciple of Professor Bowen has attempted to accomplish the same task for Pétain's predecessors who, after the French defeat of 1871, turned to the circle of German corporatists around Bishop Ketteler for inspiration (as, in his field, Ernest Renan turned to ideas of German education). Like all writers in his subject, Dr. Elbow is troubled by the haziness of corporatist theory, a haziness typical of similarly well-intentioned blueprints of a classless social order, as for instance Guild Socialism. The attempt to bring some sort of unity into the diffuse prehistory of French "Social Catholicism" (prior to 1918) takes up three-fifths of the book, with the too little known *La Tour du Pin* as the

central figure. Unfortunately, a few intruders complicate an already complex story. One of them is Georges Sorel, whose shortlived connection with royalist traditionalism was at best tenuous. The author of *Reflections on Violence*, who believed in a dynamic capitalism as he believed in a vigorous proletariat, should have been kept off the corporatist roster on which the author rightly places Georges Valois, Sorel's apostatic follower. To the motley crowd of French corporatists (among them birds of such different feather as the ex-leftists Déat and Doriot, royalists like Maurras, fascists like Colonel de la Rocque, and ex-liberals like Paul-Boncour), Marshal Pétain's *état français* of 1940 looked like the fulfillment of their dream, only to disappoint them as Il Duce disappointed his Rossonis. The question that remains to be asked, but which the author, with scholarly caution, refuses to answer, is whether the consistent failure of the corporatists is not due more to some basic fallacy in the very doctrine of corporatism than to the refusal of the bureaucrats to keep their hands off the economy. Its propagators, to be sure, are for the most part not trying to hoodwink labor but are honest seekers after a way out of the class struggle. But they also reflect, particularly in the Third and Fourth Republics, a mentality characteristic of a static if not stagnant economic situation; they are social quietists in a crisis which, today more than ever, demands bold measures if France is to be saved, for her own sake as well as for the sake of Greater Europe.—JAMES H. MEISEL, *University of Michigan*.

Heresy, Yes; Conspiracy, No. BY SIDNEY HOOK. (New York: The John Day Co. 1953. Pp. 283. \$3.75.)

Many thoughtful people are convinced that the domestic Communists in our midst constitute a threat to our national security. But many of these same people are concerned about how the growing number of loyalty programs, legislative investigations, sedition trials, and private purges aimed at this threat are to be reconciled with the freedom of speech and belief which is supposed to be guaranteed by our Constitution and which is essential to the functioning of our democratic system.

It is to this problem of reconciliation that Sidney Hook's latest book is addressed. The best statement in the book is this one: "From time to time certain phrases catch the public

fancy. . . . Repetition gives them a patina of familiarity so that their use soothes the understanding instead of challenging it. Gradually these phrases begin to be employed in all sorts of contexts until they function not as summaries of thought, but as substitutes. . . ." Unfortunately, the balance of the book is a prime example of what this statement describes. It is built upon a repetition of terms and phrases long used in this area as substitutes for thought.

Freedom of belief and expression should be preserved for "heresy," says Hook, but not for "conspiracy." This distinction certainly has a "patina of familiarity," but what does it mean? The heresy which is to be protected, we are told, consists of "unpopular ideas or opinions" and includes "Communist ideas." But what is a conspiracy? "A conspiracy . . . is a secret or underground movement which seeks to attain its ends not by normal political or educational processes, but by playing outside the rules of the game. . . . The signs of a conspiracy are secrecy, anonymity, the use of false names and labels, and the calculated lie."

This definition may seem a somewhat imprecise tool to apply, but it works fine. It just happens that Hook's definition of a conspiracy is also his description of the Communist party, so that he comes inevitably to the conclusion that, while a man may entertain and express Communist ideas, he may not join the Communist party¹ without becoming a conspirator.

But doesn't this conclusion rest upon an assumption of "guilt by association?" Hook views this phrase as one of the substitutes for thought which he so abhors, but recognizes that it describes a process of reasoning which our courts have occasionally condemned. This, however, merely provides the occasion for another distinction and the only touch of novelty in the book. Asserting, erroneously, that the judicial condemnation applies only to imputing "criminal guilt," Hook introduces a doctrine of "moral guilt" by association which justifies noncriminal sanctions, both governmental and private.

The last half of Hook's book is devoted to explaining why the Communist party member is unfit to teach, but his argument is built

¹ For an exposition of Communist ideas by one who was not a Communist party member, see Sidney Hook, "Why I Am a Communist," *The Modern Monthly*, April, 1934, p. 143.

upon unsupported assumptions.² All party members who are teachers have abandoned their intellectual independence and committed themselves to preaching party doctrine in the classroom. What is the evidence of this universal commitment? There are "official instructions" to that effect—an article in *The Communist* in 1937 and a resolution adopted at a party convention in 1936. How does Hook know that all members are aware of these instructions? They were "addressed to the general membership" in publications which "all members are expected to read." And even if all present members are aware of instructions published sixteen years ago, how does Hook know that all will obey? The party expects all members to obey and "weeds its ranks carefully."

This book is offered by the publisher as "a tough-minded philosophy to guide American liberals."—VERN COUNTRYMAN, *Yale University*.

Communication and Persuasion: Psychological Studies of Opinion Change. BY CARL I. HOVLAND, IRVING L. JANIS AND HAROLD H. KELLEY. (New Haven: Yale University Press. 1953. Pp. xii, 315. \$4.50.)

The Yale psychologists who did the communications experiments reported in this book state in the preface their hope that "as the program develops political scientists and economists interested in the formation and modification of values will also participate." This hope will probably be shared by political scientists who read this book carefully.

The use of the controlled experiment in social science is an exciting advance and its value is well demonstrated in these studies. Unfortunately, the early chapters deal with questions which, however important to learning theory in psychology, will seem trivial to political scientists. The candidate for public

office would probably like to know whether his influence is increased or decreased by changes in the order of his arguments but the relevance of the problem to political science seems slight. The experiments reported in the later chapters, however, are significant for political science both in method and in findings. Several of the experiments bring to mind political situations which might be studied under equally rigorous conditions. Examples of findings relevant to political science are those on relationships between opinion change (and resistance to it) and group membership. People's motivation to retain membership in a group is shown to increase their resistance to communications contrary to the standards of the group. Such findings should interest students of electoral behavior, especially those interested in the role of political parties and other organizations as reference groups for the recipient of political propaganda.

Along with the findings on group membership there are data which will intrigue the political scientists who have delved into personality theory in psychology. For example, the high degree of "persuasibility" found among people considering themselves "socially inadequate" will bring to mind the writings of Fromm and Reisman dealing with the personality determinants of political behavior. Other personality characteristics shown to be positively related to "persuasibility" are low self-esteem, inhibition of aggression, and depressive tendencies.

These and other findings will probably bring some "we knew this all along" replies, but the methodologically discriminating reader will feel considerable security in the knowledge gained through such meticulous research procedures. The solid information it provides about one aspect of political behavior is its major argument for the research procedure used. Whether or not the findings are "significant" for political theory can only be judged by studying them. If we accept the position that political behavior can be studied scientifically, we now have two clear directions in which to proceed. This book describes research of a highly intensive nature and probes the processes of persuasion, learning, and opinion change. Refined cross-section attitude surveys are of the extensive nature designed to describe major characteristics of large populations. Each has a polished methodology which political scientists would do well to master.—GEORGE M. BELKNAP, *Michigan State College*.

² Both Hook and I are repeating ourselves here. He has made the argument before. Hook, "What Shall We Do About Communist Teachers?," *Saturday Evening Post*, September 10, 1949, p. 33; Hook, "Should Communists Be Permitted to Teach?" *New York Times Magazine*, February 27, 1949, p. 7; Hook, "Communists in the Colleges," *New Leader*, May 6, 1950, p. 16. And I have criticized it before. Countryman, *Un-American Activities in the State of Washington* (Ithaca, N.Y., 1951), pp. 381-86.

World List of Social Science Periodicals. (Paris: UNESCO. 1954. Pp. 161.)

A Register of Legal Documentation in the World. (Paris: UNESCO. 1954. Pp. 362.)

The *World List* includes periodicals which publish original studies and articles by specialists. It does not include legal periodicals or those dealing with certain subjects closely connected with social science, such as history, philosophy, and social geography. The title of each periodical is listed in the original language and in the case of less familiar languages in English also. For each periodical there is a brief descriptive note in French and English. The *Register* contains only a listing, either in the original language or in French, but includes all the types of publications (statutes, court decisions, reviews, etc.) used in legal study.

Political Science in India. By S. V. KOGEKAR AND A. APPADORAI. (Delhi, India: Premier Publishing Co. 1953. Pp. iii, 110. Rs. 5/.)

This volume contains much evaluation and an extraordinary amount of information, including bibliographical listings of Indian publications, descriptions of courses of study—with prescribed readings—in selected Indian universities, and an outline of topics on which student and faculty research is being done.

Reason in History: A General Introduction to the Philosophy of History. By GEORG WILHELM FRIEDRICH HEGEL. TRANS. AND EDITED BY R. S. HARTMAN. (New York: The Liberal Arts Press. 1953. Pp. 95. \$75.)

This small volume is designed to introduce the beginning student to the Hegelian view of history. After an introduction by Professor Hartman, which states admirably the background of Hegelian thought, brief selections from *The Philosophy of History* are given. The classics published by the Liberal Arts Press make a fine list for those who may be teaching intellectual history at the undergraduate level.

David Hume's Political Essays. EDITED, WITH AN INTRODUCTION, BY CHARLES W. HENDEL. (New York: The Liberal Arts Press. 1953. Pp. lxiv, 166. \$75.)

A selection of eighteen political essays from Hume's *Essays Moral, Political, and Literary*, together with a lengthy introduction and a selected bibliography.

The Pursuit of Happiness. By HOWARD MUMFORD JONES. (Cambridge: Harvard University Press. 1953. Pp. xi, 168. \$3.50.)

In five lectures in the William W. Cook Foundation series, the author traces "the glittering generality" of "pursuit of happiness" through early American documents and individual statements; takes a turn at what the courts have said about happiness; finds in classical philosophy and in Puritanism, respectively, the "spectator theory of happiness for the aristocrat" and "the prosperity theory for the Christian merchant"; analyzes the concepts of happiness in Cooper, Emerson, and William James; and finally finds that in the twentieth century happiness is in the area not of law but of psychology, and is sought not in the way of the country gentleman or the merchant prince but in personal adjustment to the environment.

Essay in Politics. By SCOTT BUCHANAN. (New York: Philosophical Library. 1953. Pp. xiii, 236. \$3.75.)

The essay is concerned with the intricate complex of corporations of various sorts which make up much of the life of the nation and which constitute in fact many unrecognized governments sharing in sovereignty and power over the people, but which are lacking in coordination and in responsibility. The need, it is contended, is to recognize them as bodies politic and to give them federal republican forms of government and thus revitalize the significance of the consent of the governed.

The Present as History: Essays and Reviews on Capitalism and Socialism. By PAUL M. SWEEZY. (New York: Monthly Review Press. 1953. Pp. viii, 376. \$5.00.)

Some essays and a number of book reviews published over the past 15 years by an economist of Marxian views who is attempting to illustrate here how many present developments are in the stream of history.

Man and Modern Society: Conflict and Choice in the Industrial Era. By KARL DE SCHWEINITZ, JR. AND KENNETH W. THOMPSON. (New York: Henry Holt and Company. 1953. Pp. xii, 849. \$5.25.)

A valuable collection of readings designed for general education courses. The emphasis is political and economic. The theme is that the great issues among men today result from the

impact of new forces on the old ideological and institutional framework. The effort here is

to display both the framework and the contemporary problems.

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FRANCIS G. WILSON

University of Illinois

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NEWS AND NOTES

PROFESSIONAL CONFERENCES

NEXT ANNUAL MEETING OF THE ASSOCIATION

The Fiftieth Annual Meeting of the American Political Science Association will be held September 9-11, 1954, at the Sherman Hotel in Chicago. The Chairman of the Program Committee is Professor Stephen K. Bailey, Wesleyan University; the Chairman of the Committee on Local Arrangements is Professor C. Herman Pritchett, University of Chicago.

Pomona College was co-host with the Citizenship Clearing House to a Southern California Conference on Preparing College Men and Women for Greater Participation in Practical Politics, held at the Mission Inn, Riverside, California, February 19-20, 1954. The members of the conference included some sixty college administrators, professors of government, political leaders, and newspaper editors selected by an advisory committee consisting of Professors Totton J. Anderson, of the University of Southern California, David Farrelly and Ivan L. Hinderaker, of the University of California at Los Angeles, Robert L. Morlan, of the University of Redlands, Don Muchmore, of Long Beach State College, and John A. Vieg, of Pomona College, who served as chairman. A Southern California affiliate of the Citizenship Clearing House is now in process of being organized.

The Citizenship Clearing House Unit for Eastern Pennsylvania held a student conference on "Student Participation in Party Politics" on March 19 and 20, 1954. Principal speakers at the conference were: Professor Stephen K. Bailey, of Wesleyan University and Mayor of Middletown, Connecticut; George Leader, Democratic candidate for Governor of Pennsylvania; and Lloyd Wood, Republican candidate for Governor of Pennsylvania. A portion of the conference was devoted to section meetings in which there were panel discussions participated in by students, faculty members, and political party leaders.

A special conference on the Middle East was held at Grinnell College, March 4-8, 1954, under the sponsorship of the Grinnell In-

stitute of International Affairs. Leading participants included the following: S. E. Gerard Priestley, British author and historian; Taraknath Das, professor of political science at Columbia University; Abdul Hamid Ghaleb, alternate Egyptian delegate to the United Nations; M. S. Sundaram, First Secretary, Education Department, Embassy of India; Syed Amjad Ali, Ambassador from Pakistan; John Durnford Jernegan, Deputy Assistant Secretary of State; and Abba Eban, Ambassador from Israel.

Specialists in several fields recently examined the relationship between Antioch College's courses in economics, political science, and law, and the school's study-plus-work program. Among the several hundred employers and alumni who attended a centennial conference on the Yellow Springs campus at Antioch to evaluate "Work Experience in Higher Education," February 11, 12, and 13, were: Charles Gant, program analyst, National Science Foundation, Washington, D.C.; J. Alan Ofner, industrial relations division, Argonne National Laboratories, AEC, Chicago; Truman Safford, attorney, Curtis, Morris and Safford, New York; Frederick Beckman, supervisor, Department of Mental Welfare, Columbus, Ohio; John O. Harper, attorney, Cory, Durfee, Martin and Brown, Springfield, Ohio. Chairman of the panel was Heinz Eulau, associate professor of government at Antioch. Separate discussions were held in thirteen other fields of major concentration. Students and faculty members participated in all, as panelists or in the audience. Antioch was the first liberal arts college in the country to adopt a study-plus-work program.

Under the plan, students regularly alternate classroom courses with jobs secured for them in thirty-three states.

The Third Institute on World Affairs and International Cooperation will be held at the Pennsylvania State University during the main summer session, 1954. The Institute will have as its theme "The American Impact Abroad—Its Effects on International Cooperation and Understanding." Professors Elton C. Atwater and R. Wallace Brewster, of the political science department, are serving on the all-university committee supervising the Institute.

The Third Western Training Laboratory in Group Development will be held at Idyllwild, California, between August 15 and 27, 1954.

The Laboratory is intended to provide understanding and skills for individuals who want to improve their effectiveness in working with groups. Participants with a variety of occupational backgrounds are expected to attend. The training staff will be made up of faculty members from various universities as well as of active group leaders in business, government, industry, public health, education, social welfare, and the like. For information, write Department of Conferences and Special Activities, University Extension, University of California, Los Angeles 24, California.

The Sixtieth National Conference on Government of the National Municipal League will be held in Kansas City, Missouri, November 7-10, 1954.

OTHER ACTIVITIES

Political scientists and others contemplating research in Japan will be interested in a new residential center, International House, which will soon be opened in Tokyo. Construction was started this spring, and the building is expected to be open to its first residents early in 1955. International House has been made possible by a grant from the Rockefeller Foundation and from funds raised locally in Japan. The managing director is Shigeharu Matsumoto, Tokyo lawyer and writer. Dr. Gordon Bowles, formerly Executive Secretary of the Conference Board of Associated Research Councils, and now teaching anthropology at the University of Tokyo, is co-director.

The facilities of International House will be primarily for scholars who have completed their training. It is being constructed near Tokyo Central Railroad Station—in the heart of Tokyo. The building will contain lecture and dining halls and residence quarters for a maximum of fifty guests. Conference study rooms will also be available. The library will emphasize current periodicals from many foreign nations and will include special collections of books on contemporary Western and Asian problems. It is not expected that the House will engage directly in research and translation projects, but it will assist persons and organizations employed in these activities, and special attention will be paid to visiting and resident foreign scholars engaged in Asian studies. Inquiries concerning facilities which will be provided to visiting foreign scholars may be obtained by writing to the International

House of Japan, Inc., Bank of Tokyo, Marunouchi Branch 2, 1-chome, Marunouchi, Chiyoda-ku, Tokyo.

Harold Stassen, Director of the Foreign Operations Administration, delivered an address on February 22 at the University of the Philippines during the dedication ceremonies for the newly constructed Rizal Hall. The Institute of Public Administration of the University of the Philippines, now located in Rizal Hall, was established under a contract between the University of Michigan and the University of the Philippines, through the assistance of FOA and the Philippine Government. Ferrel Heady, on leave from the University of Michigan, is the present director and chief advisor of the Philippine Institute.

On March 1, 1954, through private funds made available by Chancellor Rufus B. vonKleinsmid, there was established in the School of Public Administration, University of Southern California, an International Public Administration Center in order to provide special service for the foreign professors and students who are taking advanced graduate training. In effect, this is an extension of the work which the School has been doing under government contract, first for a group of Turkish professors, 1951-1953, and then for a group of Brazilian professors, 1952-1954. The present participants and associates in the International Public Administration Center are: Arif Payaslioglu, Ankara, Turkey; Reyhan Toluner, Istanbul, Turkey; Paulo Neves de

Carvalho, Belo Horizonte, Minas Gerais, Brazil; Chukuemeka Okeke, Nigeria; Evangelos J. Rizos, Greece; Nouri Al-Kadhim, Iraq; and Raphael Velasco, Mexico; Vinod Pathak, India; Miss Eila Ketola, Finland; Madanjit S. Malik, India; Celodonio E. Felix, San Juan, Puerto Rico; Wedding Fricke, Germany; and Fernando Segurra, Costa Rica.

The Rutgers Lincoln Prize of \$1,000, to be offered annually for the best manuscript on Lincoln or in the Lincoln field, is announced by Rutgers University Press. The winning manuscript will be published jointly by the Abraham Lincoln Association and Rutgers Press, and the award will be divided equally between an outright grant and an advance against royalties. The purpose of the Lincoln Prize is not merely to stimulate continuing work in this field, but particularly to find books worthy of the centennial significance of the years from 1954-1965. Manuscripts must be submitted to Rutgers Press before October 1 of the year in which they are to be considered. Authors or agents are invited to write to Rutgers University Press for further details before submitting any manuscript.

The Association of Research Libraries has approved a program for making promptly and inexpensively available all doctoral dissertations currently accepted by colleges and universities in this country. Forty-three institutions are now publishing all or part of their dissertations under this plan. As expressed by the ARL, the general objectives of the dissertation publishing plan are as follows:

1. All doctoral dissertations should be published immediately upon acceptance to facilitate more effectual communication of new research material than is now possible through the existing costly, inefficient, and incomplete system of interlibrary lending of typescripts of dissertations.

2. A permanent central repository for doctoral dissertations, from which copies could be inexpensively procured at any time, should be maintained to simplify the distribution of this new research material.

3. Uniform listing, indexing, and abstracting of these dissertations, in one central bibliographical source, should follow as soon as possible upon their acceptance.

To achieve these objectives, the ARL endorsed publication of dissertations in micro-

film and formulated the basic plan which makes use of the services provided by University Microfilms, Ann Arbor, Michigan. Various levels of participation are possible, and each participating university makes its own decision as to whether the university or the student pays the fee. Any institution granting doctorate degrees may participate in the plan or secure more detailed information by writing directly to University Microfilms, Ann Arbor, Michigan.

The Washington Semester at the American University was honored recently by the Freedom Foundation by the award of the George Washington Medal for outstanding contribution to American citizenship.

A third unit of the Washington Semester has been announced for the fall of 1954. This expansion of the program will permit the addition of approximately twenty colleges and universities. Institutions sending students for the first time in the spring of 1954 were: Augustana College, Florida Southern College, Monmouth College, Pomona College, University of Redlands, Rollins College, Syracuse University, Valparaiso University, and Wabash College.

The American University is offering a six-weeks Public Affairs Laboratory in Washington, D.C. from June 21 to July 30. The program includes background lectures by the faculty of the University, seminars with public officials, field trips, and individual projects. Six hours of graduate credit will be given to students participating in the Laboratory.

The department of political science at Duke University will offer a special course in Japanese civilization during the 1954 summer session in commemoration of the hundredth anniversary of the opening of Japan by Commodore Perry. Through a recent grant by the Japan Society, a number of scholarships will be offered to graduate students who have had no opportunity to make a special study of Japanese affairs. Professor Ralph J. D. Braibanti, of the political science faculty, will conduct the course.

A new undergraduate program in world studies will be offered by the University of Rochester beginning with the fall semester. This program will place emphasis upon the political, economic, social, and cultural forces that have molded the civilizations of Eastern

Europe, the Middle East, Asia, Latin America, and Africa, and that are forging new societies in these areas today. This program will be directed by Vera Micheles Dean, of the Foreign Policy Association. Mrs. Dean has been appointed visiting professor of government at the University of Rochester.

Recent guest lecturers before the political science graduate seminar at Duke University include the Hon. George McGhee, former Ambassador to Turkey and Assistant Secretary of State, and Dr. Lujo Tomic, member of the House of Representatives of the Austrian Parliament.

Guest speakers on the annual federal lecture program of the School of Public Administration at the Florida State University during the spring semester were Francis P. Brasseur, Executive Secretary of the new Hoover Commission, Eugene M. Zuckert, member of the Atomic Energy Commission, and a number of other prominent federal officials.

Fifteen members of the department of political science at the University of Pennsylvania appeared in a television series over Philadelphia Station WFIL from February 5 to May 14, 1954. The program is entitled "The University of the Air," and the topic of the political science series was "This World of Politics." Lincoln Harter, assistant professor of political science, was moderator of the series on political science.

Six professors of political science have been appointed to the research staff of the Missouri Little Hoover Commission. The three full-time members are: Carl A. McCandless, of Washington University, who is the director; and Henry Schmandt, of St. Louis University, and John W. Schwada, of the University of Missouri, who are serving as assistants. The heads of the departments of political science of the three universities named above have been designated as part-time consultants. They are: Thomas H. Eliot, Washington University; Paul Steinbicker, St. Louis University; and Martin L. Faust, University of Missouri. The three full-time members are on leave from their respective universities for a year beginning February 1, 1954.

Lawrence L. Durisch and Robert E. Lowry, both of the TVA, received the Louis E. Brownlow Citation and Award at the annual meeting of the American Society for Public

Administration in March, 1954. The award was for the best article published in the *Public Administration Review* during 1953. The title of the winning article was "The Scope and Content of Administrative Decision."

A new chapter of Pi Sigma Alpha, political science honorary, was established at the State University of Iowa this spring. Thirty members were initiated, including five undergraduates, seventeen graduates, and eight faculty members.

Marver H. Bernstein, of Princeton University, gave a course on regulatory commissions during the spring session at Columbia University.

Arnold Brecht, since 1933 professor of political science at the New School for Social Research, became professor emeritus on March 15, 1954. His students honored him on this occasion by publishing six of his papers on relativism and related problems as a book under the title *The Political Philosophy of Arnold Brecht*, with an introduction and a bibliography of his writings. Professor Brecht has accepted an invitation from the University of Heidelberg, Germany, to deliver a course of lectures on the comparative history of political institutions and a seminar on problems of twentieth-century political theory from May through July as a guest professor. In the fall, he will return to the United States to lecture at the New School and to write.

Professors James M. Burns, of Williams College, and John P. Roche, of Haverford College, were members of the faculty of the Salzburg Seminar in American Studies, Salzburg, Austria, for the January, 1954 session. Professor Burns lectured on American political parties and offered a seminar on the American experiment in government, while Professor Roche devoted his lectures to American political thought and his seminar to American constitutional law.

Lynton K. Caldwell, of Syracuse University, served as a consultant in public administration to the Institute of Public Administration at the University of the Philippines for a two-month period beginning February 5, 1954.

Carl Q. Christol, of the department of political science at the University of Southern California, has been appointed a member of the Committee on International Law in the

Courts of the United States, Section on International and Comparative Law, American Bar Association.

During the winter quarter, Gordon R. Clapp gave six Walgreen Foundation lectures on the TVA at the University of Chicago, and George S. Pettie presented another Walgreen series on "Soldiers and Civilians."

Dorothy I. Cline, assistant professor of government at the University of New Mexico, has announced her candidacy for the city commission of Albuquerque.

James S. Coleman, instructor in political science at the University of California (Los Angeles), delivered a series of addresses in seven cities in western Canada during January. The lectures covered various topics relating to political developments in Africa and were given under the auspices of the Canadian Institute of International Affairs.

Robert A. Dahl, of Yale, offered a course on the policy-making process during the spring session at Columbia University.

David Fellman, professor of political science at the University of Wisconsin, was a participant in the social science seminar at Iowa State College on March 11, speaking on the subject of civil liberties. He is scheduled to deliver five lectures on the same subject at the Utah State Agricultural College in June.

Russell H. Fifield, associate professor of political science at the University of Michigan, was awarded the 1953 George Louis Beer Prize of the American Historical Association for his recent book, *Woodrow Wilson and the Far East: The Diplomacy of the Shantung Question*.

Charles Gilbert is working in the office of Senator Hubert Humphrey in Washington while teaching a seminar on politics and legislation at Swarthmore College.

W. Leon Godshall, professor and head of the department of international relations at Lehigh University, absent on leave, 1952-54, completed a tour of duty as visiting professor of international relations at the University of the Philippines on March 15. On his return voyage to Lehigh for the summer session, he will visit Singapore, Suez, Cairo, and various points of interest in Europe.

John H. Hallowell, of Duke University, recently gave four lectures at the University of

Arkansas. These were part of a lecture series on moral philosophy which the University of Arkansas is sponsoring with the aid of the Rockefeller Foundation.

J. Eugene Harley, of the University of Southern California, delivered the principal address at the Pacific Southwest Regional Conference of the American Association of International Relations Clubs, held at Redlands University, February 19-20, 1954. His subject was "Recent Important Developments in International Law and Organization."

Majid Khadduri, Professor of Middle East Studies at the School of Advanced International Studies of the Johns Hopkins University, has been awarded the Rafidain Medal by the Government of Iraq. This medal is for scholarly and literary accomplishment and was awarded to Professor Khadduri for his recent book, *Independent Iraq*.

Louis E. Lambert, of the department of government at Indiana University, is serving again this summer as director of a three-week workshop in state and local government. The purpose of the workshop is to encourage the teaching of state and local government in Indiana high schools. The method used for the presentation of material is a roundtable with panelists selected from among leaders of Indiana local government and politics.

Arthur W. Macmahon, Eaton Professor of Public Administration at Columbia University, is spending a sabbatical leave in Europe; he is lecturing this spring at the College of Europe in Bruges. Professor Macmahon was chairman of the Columbia University Bicentennial Conference on Federalism which was held at Arden House between January 11 and 14, 1954.

Roy Macridis, associate professor of political science at Northwestern University, read a paper on "Political Science and Comparative Politics" at the International Political Science Association meeting in Florence, Italy, April 4-11, 1954.

B. Mirkine-Guetzévitch, Dean of the Faculty of Law and Political Science of the French University of New York, offered two courses in the department of government at Harvard University during the spring semester. He participated in a conference held as a part of the Bicentennial Celebration at Columbia University in January.

Robert G. Neumann, associate professor of political science at the University of California (Los Angeles), was one of eighty Americans selected to visit Germany as a guest of the German Federal Government. Professor Neumann spent part of February and March observing political developments in West Germany.

Professors Russell M. Ross and Vernon Van Dyke, of the political science department at the State University of Iowa, are participating in an evaluation of the general education courses, a project undertaken on the basis of a grant from the Ford Foundation. Professor Van Dyke is also directing a survey of the role of the State University of Iowa in world affairs, a project undertaken at the suggestion of the Carnegie Endowment for International Peace.

John F. Sly, professor of politics at Princeton University, was in Liberia, West Africa, in January, 1954 as a consultant to the Department of State to examine and report on the management and fiscal policies of the free port of Monrovia.

R. G. Whitesel, of the political science department of the State University of Iowa, was on half-time status during the spring semester while working on a Ford Foundation project in educational television, "Freedom in a Democracy."

Arthur M. Wilson, professor of government and biography at Dartmouth College, has been awarded the 1952-1953 Modern Language Association-Oxford University Press Award for a manuscript entitled "Diderot: The Testing Years, 1713-1759." The award consists of a prize of \$1,000 in addition to royalties.

POLITICAL SCIENTISTS AS AREA SPECIALISTS

It has been common to assume that American scholarship in the social sciences and humanities has been oriented to Western cultures. Valid though this assumption may be, the results of a recent report prepared by the American Council of Learned Societies suggest a much wider specialization in Asian, African, and Eastern European studies than many of us had realized. Of particular interest is the fact that political science seems to reflect a greater scholarly concern for these areas than many of the other social sciences or the humanities. The report, *Preliminary Analysis, American Personnel in Asian, African and*

Eastern European Studies (Washington, D.C., November, 1953) (mimeo. 16 pp., 17 tables, 5 maps), was prepared by J. F. Wellemeyer, Jr. and Max H. North. It resulted from the National Registration of the Humanities and Social Sciences (in which the American Political Science Association participated when it circularized its membership in 1952) and is based on the registration of some 25,500 members of twenty-three professional societies. The project was financed by the Office of Naval Research, but the report summarized here was made at the request of the Board of Overseas Training and Research of the Ford Foundation which needed the information to review its programs in Asian and African area studies.

The report classifies as an area expert anyone who has done research, published papers or books, or taught courses relating to the area. Incidental travel and military intelligence research were not included in this consideration, unless such experience was combined with language competence or other professional training. The report aims to give a statistical description of scholars competent in Asia, Africa, and Eastern Europe, but does not seek to evaluate the supply of experts or to appraise their qualifications.

Two screenings of the rough data indicated that 3,218 persons reported themselves as area specialists. This constituted about one-eighth of the registrants in the National Registration. From the data submitted by these 3,218 persons, the analysis in this report is made. The areas of specialty and the special characteristics of expertness in each area are shown below.

Near and Middle East. This includes North and East Africa, Turkey, Asia Minor, Israel, Syria, and Transjordan. Of the 544 persons who recorded their principal specialty in this area, the largest group (82) were specialists in biblical literature. Political science and economics ranked next, each claiming 54 specialists. History, geography, archeology, sociology, anthropology, and literature each had between 40 and 50 specialists in this area. Oriental studies and linguistics had 37 and 22, respectively. Art, statistics, philosophy, musicology, aesthetics, and education had fewer than 10 specialists. Religion and classical studies account for much of the interest in this field. A slightly higher proportion of native-born American citizens and a slightly smaller proportion of women are found in this group.

Far East. This region includes China, Japan, Korea, Formosa, and the Ryukyu Islands. Of the 883 persons who reported their principal specialty in this area, 357 persons were specialists in Japan, 222 in China (general). Political science ranked first in number of specialists (146) with economics, history, and oriental studies second, third, and fourth, respectively. Sociology, geography, and literature have between 56 and 82 each. The Far East group contained a higher proportion of native-born Americans than the average, a higher proportion of government employees, and a lower proportion of persons with doctor's degrees.

Eastern Europe. European Soviet Russia, Poland, Czechoslovakia, Hungary, the Baltic countries, and the Balkans are included in this area. Of the 1,175 persons with a primary specialty in this area, 214 had a specialty for Greece alone, leaving 1,085 persons who might be considered specialists on Russia and her European satellites. Political scientists were second in number of specialists (213), being outranked by history (217), and followed by economics (205). Classical Greek literature, sociology, anthropology, and geography were represented by 72, 43, and 55 persons, respectively. This group had the lowest proportion of native-born Americans of all the regions, reflecting, according to the report, considerable immigration of specialists to the United States.

South Asia. India, Pakistan, Nepal, and Ceylon was the area of specialty of 200 persons. The most numerous were economists, with 33 specialists. Political science and history ranked next with 29 and 27 specialists, respectively. History was represented by only 14 persons, which seems low for this field, considering the extensive interest of historians in the remainder of the Far East. Fewer South Asian specialists have master's and doctor's degrees than is the case for most other regions.

Southeast Asia. In this region, consisting of Malaya, Burma, Indo-China, Thailand, the Philippines, the East Indies, and Melanesia, 191 specialists were registered. The most numerous group was in economics (47), but political science ranked second (26), followed by anthropology and sociology. Other disciplines were represented by fewer than 20 persons each. The highest proportion of native-born Americans was found here, but there were fewer women and fewer persons with doctorates than in most other fields.

Northern Asia. Only 27 specialists registered

for the area, which includes Siberia, Manchuria, Mongolia, and the Kazakh, Uzbek, Turkmen, Tadzhik, and Kirghiz Soviet Republics. There were 10 economists, 4 anthropologists, 6 geographers, and only 2 political scientists. Other disciplines were represented either by one or no specialist.

Central, Western, and Southern Africa. This area south of the Sahara Desert was listed as the first specialty of 85 persons, the most numerous group being the anthropologists with 23 persons. Political science ranked next with 12 persons. Sociology, geography, history, and economics came next with 11, 10, 9, and 7 specialists, respectively. Other disciplines were represented by fewer than five persons each.

Selected Pacific Islands. Of the 39 specialists on Micronesia and Polynesia, 19 were anthropologists. The next most numerous group is not clearly given. Table II of the report lists political science as ranking second, with 8 specialists. The text of the report (p. 12) lists 8 economists, although Table II shows no entry at all for economists. This, however, is an oversight, for subsequent correspondence between this reviewer and the principal author of the report confirms the impression that the entry should be for political scientists. Geography, sociology, history, and linguistics are represented by 4, 3, 2, and 2 specialists, respectively.

The report tabulates other data such as citizenship, age, education, type and location of employer, total professional income, employment status, and sex of the area specialists registering.

A few minor errors and organizational deficiencies slightly mar the report, but this is understandable since, as the title indicates, this is a preliminary version. It has been submitted to several specialists in the areas under survey and is being revised on the basis of suggestions received. It is planned that the revised form will be published probably this year.

The report suggests several observations of pertinence to political science. These observations cannot be regarded as definitive since they are based only on the data used in the report. Hence some comment on the possible limitations of the data as described by the report's authors seems pertinent here.

Undoubtedly there are more area specialists in the United States than those who completed the questionnaires used in this study. Schedules (as the report calls them) were mailed to

some 55,000 persons, of whom only 25,500 responded. There are probably many among those who did not respond who would qualify as area specialists. If, as the report states (p. 2), the proportion of area specialists is the same among non-respondents as among respondents, there would be 3,424 more qualified persons. Very likely the same proportion would not hold, for many of those who did not answer probably correctly assumed that they were not qualified as area specialists. Another limitation of these observations is that of time. The data were collected in 1952: a more recent collection might yield different results. Obviously, the observations which follow share the limitations of the basic data.

Probably the most startling observation is that political science is very much concerned with Africa, Asia, and Eastern Europe. We appear to be much more culture-area oriented than this writer had supposed. Of the total 3,618 political scientists in the National Registration, 13.7 per cent of our members claim to be specialists in these areas. Political science thus ranks seventh in claimed area competence. This percentage of competence is more significant than our seventh rank indicates. The first five disciplines which show a higher percentage of area competence (Table I) are archeology, anthropology, geography, biblical literature, and linguistics. All of these are disciplines which have some special historic or substantive claim to the areas considered. History ranks sixth (with 13.9 per cent of the historians claiming competence), and economics comes below political science (with 12 per cent of the economists claiming competence). Among disciplines having no historic claim to interest in these areas, then, political science ranks a very close second, being out-ranked by history by only .2 per cent.

The extent of our professional interest in these areas is indicated in another way. Of the eight areas considered, political science ranks first in declared competence on the Far East.

This is surprising (at least to this writer) when one considers that a generation ago the number of political scientists interested in Asia could be counted on the fingers of two hands. In six other areas (Near and Middle East, Eastern Europe, South Asia, Southeast Asia, Africa, and selected Pacific Islands) political science ranks second. Only in the study of North Asia (Soviet Asia and Manchuria) are we less well represented than economics, geography, and anthropology.

This significant concern for area studies will undoubtedly influence the character of our teaching and research for some time to come. Yet it is worthy of notice that there seems to be a lag between the immediate political importance of an area and the universities' response to its importance. Hence, in 1954, more than a decade after the height of concern for understanding Japanese, Chinese, and Korean culture, we find ourselves with what appears to be an oversupply of specialists in this area. It may well be that interest thus reflected in universities will be in areas of recent past importance rather than of anticipated future importance.

Such studies as this can be of great use to organizations like the Ford Foundation Board of Overseas Training and Research in preparing specialists for areas likely to become important in the future. These studies should be frequent and regular, perhaps annual, for the value diminishes sharply with the age of the data. It is hoped that the American Council of Learned Societies will continue these studies and make them widely available to institutions of learning and professional associations. It is reasonable to suppose that universities will find significance in such studies for planning curricular emphases. If we would keep the peace through understanding of other cultures, we might find value in empirical studies which show where the gaps in our knowledge are.—

RALPH BRAIBANTI, *Duke University.*

APPOINTMENTS AND STAFF CHANGES

Orville Alexander, chairman of the department of government at Southern Illinois University, has been granted a leave of absence until December, 1954 to serve as director of research for the Illinois School Problems Commission and the Ohio School Survey Committee.

Vincent M. Barnett, Jr., of Williams College, will be a visiting member of the faculty of the department of political science at Stanford University during the summer quarter of 1954, offering courses in constitutional law and in the administration of foreign aid programs.

Carl E. Barch, Foreign Service Officer, has been transferred from the American Embassy at Caracas, Venezuela, where he has served as second secretary for the past two and one-half years, to the American Consulate General at Toronto, Ontario, Canada. Mr. Barch entered the Foreign Service in 1948 and previously served at the American Consulate, Nicosia, Cyprus.

George C. S. Benson, president of Claremont Men's College, has taken a six months' leave of absence to serve as director of research for the Commission on Intergovernmental Relations.

William W. Boyer, Jr., who received his doctorate from the University of Wisconsin, was appointed instructor in government and international relations at the University of Connecticut, effective in February, 1954.

Alfred G. Buehler, professor of political science at the University of Pennsylvania, has been appointed by Governor Fine as Chairman of the Pennsylvania Commission on Intergovernmental Relations. Professor Buehler has been serving as Chairman of the Pennsylvania Tax Study Committee.

Edward H. Buehrig served as acting chairman of the department of government at Indiana University during the past academic year.

Franklin L. Burdette has been appointed head of overseas libraries operated by the United States Information Agency. He is in charge of cultural activities in 158 libraries in 63 countries, including translations, grants, and the \$10,000,000 information media guaranty program for the sale of American books abroad. The University of Maryland has granted him leave of absence from his position as head of the department of government and politics.

George P. Bush has been promoted to a full professorship in public administration at the American University.

Henry C. Bush was a visiting member of the political science staff at the University of Alabama during the past academic year.

Anthony P. Campanella has been appointed instructor of government and politics in the Iceland Center of the University of Maryland.

Edward S. Corwin, of Princeton University, was a visiting professor in the department of

political science at Whittier College during the second semester of 1953-54.

Cecil Van Crabb has been promoted to the rank of professor of political science at Vassar College.

Frederick S. DeMarr has been appointed instructor of government and politics at the University of Maryland with assignment to Newfoundland centers.

Joseph Dunner has resumed his regular duties as chairman of the department of political science at Grinnell College after a year's leave of absence.

Lawrence L. Durisch, of the Tennessee Valley Authority, was a visiting professor of political science at the University of Alabama during the spring semester.

Robert E. Elder, associate professor of political science at Colgate University, spent the spring semester in Washington, D.C. in charge of the Colgate University Washington Study Group.

Mohammad Hasan El-Zayyat, cultural attaché at the Egyptian Embassy in Washington, served as a visiting associate professor of government at Columbia University during the spring session.

Ludwig F. Freund, of Roosevelt College, was a guest lecturer on international organization at Northwestern University during the winter quarter.

John D. Gerletti, Jr., of the School of Public Administration, University of Southern California, is on a year's leave of absence in New York during 1954, in order to act as the general manager for the International Fire Chiefs Association. Professor Gerletti's place is being filled by Richard Gable, recently of the Stanford political science faculty.

L. Jay Gould has been reappointed instructor in political science at the University of Vermont.

John Green, who recently received his Ph.D. degree from the University of Chicago, has been appointed assistant professor of government at the University of South Dakota.

Morton Grodzins has been appointed Dean of the Social Science Division, University of Chicago, and promoted to a full professorship

in the department of political science. For the past two years he has been director of the University of Chicago Press.

Thomas T. Hammond has resumed his teaching duties as an assistant professor in the departments of history and foreign affairs at the University of Virginia after spending six months in travel and research in Yugoslavia and Trieste.

Earl T. Hanson, of Duke University, was on sabbatical leave during the second semester.

Lowell H. Hattery has been advanced to a full professorship in public administration at the American University.

Richard H. Heindel, staff deputy director of the U. S. National Commission for UNESCO, Department of State, has been appointed Dean of the University of Buffalo College of Arts and Sciences, effective July 1, 1954. During the main summer session, Dean Heindel will serve as a consultant-lecturer for Pennsylvania State University's Third Institute on World Affairs and International Cooperation.

L. Vaughan Howard, of Tulane University, will be a visiting member of the political science staff at Duke University during the 1954 summer session.

J. C. Hurewitz is on leave from Columbia University to spend the spring and summer in the Near and Middle East.

Dunning Idle has been appointed assistant professor of government and politics at the University of Maryland with assignment to the Newfoundland centers during the spring semester.

Stanton Jue, formerly of the University of California and research specialist for the Committee for Free Asia, has accepted an appointment to study acculturation and behavioral problems in San Francisco under the auspices of the International Institute.

Max M. Kampelman, recently a member of the political science faculties at the University of Minnesota and Bennington College, and now legislative counsel to United States Senator Hubert H. Humphrey, has been appointed visiting professor of political science at Howard University for 1954.

Joseph A. Kitchin, who is on sabbatical leave from Queens College, New York, and

has been a Fulbright lecturer in political science in the universities in Bangkok, Thailand, since June, 1953, was appointed Executive Director of the Fulbright Foundation in Thailand on December 1, 1953, and was requested to extend his stay there through June, 1954. He will return to Queens College in September, 1954.

Frank L. Klingberg is serving as acting chairman of the department of government at Southern Illinois University.

Walter H. C. Laves has been appointed chairman of the department of government at Indiana University. He has resigned as Vice President of the Governmental Affairs Institute and will assume his new duties in the fall. In March of 1954, Professor Laves was secretary-general of a conference on "Organization and Administration of Public Enterprise in the Industrial Field," held in Rangoon, Burma, under the joint sponsorship of the UN Technical Assistance Administration, the Economic Cooperation Administration for the Far East, and the International Institute of Administrative Sciences.

Gerard J. Mangone served as acting chairman of the department of political science at Swarthmore College during the past academic year.

Charles B. McClane, formerly of the United States mission in Moscow and the University of California, has been appointed assistant professor of political science at Swarthmore College.

Rodney L. Mott, director of the division of social sciences and professor of political science at Colgate University, returned to the University during the second semester after spending a year in Australia on a Fulbright grant studying problems of local self-government.

L. C. Noonan has recently returned from a special leave of absence, during which he carried on special research under a Ford Foundation grant, and has resumed his duties as assistant professor in the department of political science, University of Southern California.

Andrew E. Nuquist has been named chairman of the department of political science at the University of Vermont to succeed Professor Daniel B. Carroll, retired.

Malcolm B. Parsons has been promoted to

associate professor of public administration at the Florida State University.

Nathaniel Peffer has returned to Columbia University from Australia where he lectured at the University of Queensland, Brisbane.

J. Roland Pennock was on leave of absence from Swarthmore College during the past year under a Guggenheim grant to study American and British legislation.

Paul J. Piccard was a visiting professor in the School of Public Administration at the Florida State University during the past year.

John Plamenatz, of Oxford University, was a visiting professor in the department of public law at Columbia University during the spring session.

Elmer Plischke, of the University of Maryland, is serving as acting head of the department of government and politics while Franklin L. Burdette is on leave of absence as Chief of the Information Center Service of the U. S. Information Agency.

Robert F. Ray, of the Institute of Public Affairs of the State University of Iowa, has been appointed director of the Iowa Citizenship Clearing House.

Henry Reining, Jr., on September 1, 1953, became Dean of the School of Public Administration at the University of Southern California. He succeeded Dean Emery E. Olson who had been dean since the School was established in 1928 and was retired at his own request.

John P. Roche has been promoted to associate professor of political science at Haverford College.

Francis E. Rourke, of Yale University, served as an assistant professor in public administration at the Johns Hopkins University during the past academic year.

Eva R. Rubin has been appointed instructor of political science at the Johns Hopkins University.

Francis Shih-hao Shieh, former faculty member of Loyola College, Shanghai, China, and an alumnus of Georgetown University, has been appointed instructor at the Army Language School.

Currin V. Shields, assistant professor of

political science at the University of California (Los Angeles), was on a sabbatical-in-residence leave during the spring semester.

Oliver C. Short, recently retired Director of the Office of Personnel Administration, U. S. Department of Commerce, was a visiting lecturer for a six weeks' period in the School of Public Administration, Florida State University.

Lewis B. Sims, of the U. S. Public Health Service, has been loaned to the new Hoover Commission on Organization of the Executive Branch of the Government to serve as a research analyst with the Medical Services Task Force. During the past year, Mr. Sims served as a visiting professor of political science at UCLA.

Frank M. Stewart, of the University of California at Los Angeles, who has been on sabbatical leave for the academic year 1953-54, will resume teaching in the fall semester.

William S. Stokes was on research leave from the University of Wisconsin during the second semester in order to work on a volume on the nature of power in Latin-American politics.

Ronald M. Stout has been promoted to the rank of associate professor of political science at Colgate University.

Robert Sullivant, of the University of South Dakota, has been granted a leave of absence to participate in a research project on Russian government at Georgetown University.

Carl B. Swisher, of the Johns Hopkins University, was a visiting professor of political science at Whittier College during the spring semester.

Nelson E. Taylor, Jr. was a visiting lecturer in political science at the University of Vermont during the second semester of 1953-54.

Manfred C. Vernon, formerly of the Department of State, was a visiting associate professor of political science at the University of Alabama during 1953-54.

H. O. Waldby, currently on leave of absence to teach at the University of the Philippines, has been promoted to an associate professorship of public administration at the Florida State University.

Earl Warner has been appointed chairman of the department of political science at Ohio Wesleyan University for a two-year period, beginning September 1, 1954.

S. Walter Washington, a former officer in the U. S. Foreign Service, has been appointed lecturer in the Woodrow Wilson Department of Foreign Affairs, University of Virginia.

George H. Watson is on a year's leave of absence from Roosevelt College to engage in research under a grant from the Fund for the Advancement of Education of the Ford Foundation.

J. D. Williams has been named director of the interne program in public administration which has recently been resumed at the University of Utah.

William R. Willoughby served as acting chairman of the department of history and

government at St. Lawrence University during the past academic year.

Ellsworth P. Woods, formerly associate professor of political science at Western Michigan College, has returned to the campus after a year's leave of absence to become head of the newly created division of basic studies.

John J. Wuest has been appointed instructor of government and politics in the European program of the University of Maryland.

W. R. Yates has been reappointed instructor in political science at the University of Vermont.

Paul N. Ylvisaker has been promoted to the rank of associate professor of political science at Swarthmore College. He is presently supervising a research team studying political behavior in Philadelphia, under a grant from the Social Science Research Council.

IN MEMORIAM

George Edgar McReynolds, Dean of the College of Arts and Sciences and formerly head of the department of government and international relations at the University of Connecticut, died on March 28, 1954, at the age of forty-four. His brief career will be remembered in the love and gratitude of his associates and students. Dean McReynolds contributed much to the growth of the University and of the department of which he was the first chairman. He saw international relations as an essential element of general education as well as a field for specialization and was instrumental in the introduction of this subject into the freshman-sophomore curriculum of the University.

Dean McReynolds secured his undergraduate education at Indiana University where he

was graduated in 1931. He received his Ph.D. degree at Clark University in 1937. His special field of interest was the Far East. He served as a lieutenant commander in the United States Navy from 1942 to 1946. Dean McReynolds was editor of *Inside Asia* (1942), joint editor of *Essays in History and International Relations* (1949), and joint author of *Japan in American Public Opinion* (1937) and *China, Japan, and the Powers* (1952). He taught at the University of Maine and Indiana University as well as at the University of Connecticut, where he organized the department of government and international relations in 1947 and became Dean of the College of Arts and Sciences in 1950.—G. LOWELL FIELD.

SPECIAL ANNOUNCEMENTS

REPORT OF NOMINATING COMMITTEE

At the coming meeting of the American Political Science Association to be held in Chicago, the Committee on Nominations (Charles B. Robson, Chairman, University of North Carolina, Chapel Hill) will propose the following officers for 1954-55: President-Elect, Harold D. Lasswell (Yale University); Vice-Presidents, Hubert H. Humphrey (United States Senate), Lindsay Rogers (Columbia University), Charles S. Hyneman (Northwestern University); Secretary, Harvey C. Mansfield (Ohio State University); Treasurer, Edward H. Litchfield (Cornell University); Members of the Council for two years, Gabriel A. Almond (Center of International Studies, Princeton), Stephen K. Bailey (Wesleyan University), James M. Burns (Williams College), Gwendolen M. Carter (Smith College), Samuel J. Eldersveld (University of Michigan), Avery Leiserson (Vanderbilt University), Leslie M. Lipson (University of California, Berkeley), Norman Palmer (University of Pennsylvania).

BOOK OF THE YEAR AWARDS

This year there will be only two book awards, which will be made on behalf of the Franklin D. Roosevelt Foundation (for the award in the field of Government and Human Welfare), and the Woodrow Wilson Foundation (for the award in the field of Government and Democracy). Each award carries a cash prize of \$1,000 to the author, along with an appropriate citation from the Association. Only books by American authors published in the United States during the calendar year 1953 will be eligible for consideration.

For selection of the best books, a General Chairman and a panel of three members for each award have been selected from the membership of the Association. The General Chairman and members of each panel for the 1954 awards are as follows:

General Chairman: Grayson Kirk, President, Columbia University.

Panel for the Woodrow Wilson Foundation Award: Royden Dangerfield (University of Illinois), Chairman; Avery Leiserson (Vanderbilt University); and Clinton Rossiter (Cornell University).

Panel for the Franklin D. Roosevelt Foundation Award: Victor Jones (Wesleyan University), Chairman; John A. Davis (College of the

City of New York); and a third member not yet chosen.

Books for the Franklin D. Roosevelt Foundation Award should deal with the ideals, aims, and purposes of government, including, for example, subjects such as civil rights, economic development, social welfare, education, labor problems, labor relations, etc. These categories are illustrative only. Books on international affairs may be included if they deal primarily with the objectives of government.

Books for the Woodrow Wilson Foundation Award should deal primarily with the organization, structure, and functioning of government, including concepts of political theory, party organization and party processes, inter-governmental relations, and comparative government, all broadly interpreted.

The Chairmen and members of the panels will be glad to receive suggestions of titles.

CONGRESSIONAL INTERNE PROGRAM

The Edgar B. Stern Family Fund of New Orleans, Louisiana, has expanded its grant to The American Political Science Association to enable the awarding of ten Congressional Internships for the year 1954-1955. In accordance with the terms of the expanded grant, five political scientists and five journalists have been selected for the coming year. During the first year of the operation of the Congressional Intern Program, four professors of political science, one lawyer, and one journalist were chosen.

The Congressional Internes will commence their work in Washington on November 1, 1954, and continue for a nine-month period until the end of July, 1955. November 1 was selected as a starting date instead of September 1 in order to give the Internes more time in Washington while Congress is in session. However, the Internes will be given an option of starting their work on September 1 if any of them desire to participate actively in the congressional campaign this fall.

The Congressional Internships pay \$4,000 for the nine-month period in Washington. According to current information, these stipends are tax-free.

Frequent meetings of the internes are held to exchange experiences and reactions, to interview and discuss legislative problems with

members of Congress, staff officials on Capitol Hill, representatives of the executive branch concerned with legislative liaison, and representatives of the leading lobby organizations. During such meetings over the past year, the Congressional Internes have met with several members of the White House staff, the leadership of both House and Senate, a large number of the committee chairmen, about one-third of the members of the Senate and an equal number of the House members, and legislative officials of the Chamber of Commerce, Congress of Industrial Organizations, American Farm Bureau Federation, and Farmers' Union. An off-the-record session with former President Truman was held during his visit to Washington early in May.

The current group of Congressional Internes have held assignments with the following since their arrival in Washington: Legislative Liaison Office of the White House, Senator Estes Kefauver (D., Tenn.), Senate Subcommittee on Juvenile Delinquency, Senator Wayne Morse (Ind., Ore.), Rep. Richard Bolling (D., Mo.), Rep. Brooks Hays (D., Ark.), Rep. Richard Simpson (R., Pa., and Chairman of the Republican Congressional Campaign Committee), Rep. Don Magnuson (D., Wash.), Rep. Mel Price (D., Ill.), Senate Foreign Relations Committee, Senator Paul Douglas (D., Ill.), and Rep. Franklin D. Roosevelt (D., N. Y.). The amount of the fellowship pays the full cost of the Internes' stipends, and their services are made available free of charge to congressional committees and individual members.

The Internes have written speeches, handled constituent inquiries, conducted liaison with executive departments, assisted in the drafting of committee reports, done research needed by committees and members, held meetings with pressure group representatives to appraise their position on legislation, assisted in the drafting and introduction of legislation, monitored committee hearings and floor debates to spot loopholes and make suggestions on questions to be asked and information to be presented in future debates and hearings—and participated in scores of other legislative duties.

In nearly every case, the Internes have had access to information, and the opportunity to participate in aspects of the legislative process not ordinarily open to students or to the public in general. For example, they have attended many executive sessions of committees, have

had access to the floor of the Senate, and have, in most instances, become members of the "inner circle" of congressional offices.

Close to 200 men and women initially applied under the program. The chairmen of the departments of political science at colleges and universities throughout the country, as well as the deans of Law Schools and Schools of Journalism, were each asked to nominate the one best candidate who had come to his attention. Working journalists, including newspaper and magazine writers and those active in radio and television, were encouraged to apply through their editors, and through stories announcing the program which appeared in *Editor and Publisher*, the *Guild Reporter*, and the regular news media.

These applications initially received were screened down to the 45 best written applications. The Screening Committee consisted of Professor Lowell Hattery of The American University, Professor William Johnstone, Jr. of the School of Advanced International Studies of Johns Hopkins University, Dr. Karl Stromsem of the Department of the Interior, Jack Beal of *Time Magazine* and formerly of the United Press, and Ben Reeves of the *Louisville Courier-Journal* (one of the 1953-1954 Congressional Internes). The 45 applicants were then interviewed by ten regional boards set up by the Association in New York; Wellesley, Massachusetts; Rochester, New York; Washington; New Orleans; Chicago; Lincoln, Nebraska; Missoula, Montana; San Francisco; and Honolulu, Hawaii. The reports of the regional interviewing boards were then reviewed by the Screening Committee, which recommended the 19 best candidates to the Advisory Committee on the Interne Program for final selection.

The Advisory Committee consists of Dr. Ernest S. Griffith, Director of the Legislative Reference Service, Library of Congress (Chairman); Senator Irving M. Ives (R., N. Y.); Merlo J. Pusey, Associate Editor of the *Washington Post and Times-Herald*; Congressman Richard Bolling (D., Mo.); and Professor Stephen K. Bailey of the Department of Government at Wesleyan University.

The Congressional Internes selected for 1954-1955 are as follows:

Clifford D. Coover, 27, of Bozeman, Montana, night editor of the *Bozeman Daily Chronicle* since 1950. Mr. Coover received a B.A. in Journalism (*cum laude*) from the University of Minnesota in 1950, and has been with the

Bozeman *Chronicle* since that time, except for six months as news editor of an Algona, Iowa, newspaper. Mr. Coover has been active in Republican party politics in Montana.

John T. Dempsey, 29, of Detroit, Michigan, an Instructor in Political Science at the University of Detroit since 1951. Mr. Dempsey was graduated from Wayne University in Detroit, received his Master's degree from the University of Detroit, and has done work toward a doctoral degree in political science at the University of Michigan. His dissertation is entitled "Control by Congress over the Seating and Disciplining of its Members."

Louis B. Fleming, 29, of Pasadena, California, who has been a reporter on the Pasadena *Star-News* since 1948. He received his B.A. degree from Stanford University in 1947, following which he edited the San Gabriel (Calif.) *Sun*, and was valley editor of the Pomona (Calif.) *Progress-Bulletin*. He has won praise from the community for his objective reporting of explosive issues involving the Board of Education and City Hall.

William C. Gibbons, 27, of Harrisonburg, Virginia, who is completing his doctoral studies at Princeton University, where he received a master's degree in 1952. Mr. Gibbons was graduated from Randolph-Macon College in 1949, and he has served as an Assistant in instruction in the field of political science at both Randolph-Macon College and Princeton University. His doctoral dissertation is entitled "Congress and the International Information Program since the End of World War II."

Marvin A. Harder, 32, of Wichita, Kansas, currently Assistant Professor of Political Science at the University of Wichita. Mr. Harder received his A.B. degree from the University of Wichita in 1947 and the A.M. degree from the Department of Public Law and Government at Columbia University in 1949. He has been teaching at the University of Wichita since 1947, aside from the period of his graduate studies at Columbia University. He is a precinct committeeman, ward supervisor, and President of the Democratic Club of Wichita.

Daniel B. Jacobs, 28, of Boston, Massachusetts, since 1952 producer of public affairs programs for the Lowell Institute Cooperative Broadcasting Council in Boston (WGBH-FM). Mr. Jacobs is a graduate of Harvard College (1950), where he was a member of the editorial board of the *Harvard Crimson*.

W. Astor Kirk, 31, Chairman of the Depart-

ment of Government at Huston-Tillotson College, Austin, Texas. Mr. Kirk was graduated from Howard University in 1946 *magna cum laude*, and received his Master's degree from Howard University the following year. He has done considerable work toward his Ph.D. at the London School of Economics and Political Science, and the University of Texas, being one of the first Negroes to enter the Graduate School at the University of Texas. He is also Director of the Institute of Politics at Huston-Tillotson College, in addition to his duties as departmental chairman.

Richard T. Mittauer, 26, of Omaha, Nebraska, news editor for the radio and television stations WOW in Omaha. Mr. Mittauer received B.S. and M.S. degrees in journalism from Northwestern University in 1950 and 1951, respectively. He was a news writer and reporter for WDUZ in Green Bay, Wisconsin, and a news editor for the American Broadcasting Co. in Chicago in 1951 before joining the staff of WOW.

Eli Rapaich, 28, of Lewiston, Idaho, currently completing work for Master of Laws degree at Yale Law School. Mr. Rapaich received both the Bachelor of Arts and Bachelor of Laws degrees in 1953 from the University of Idaho. He also served with the Marine Corps in China.

William L. Rivers, 29, of Baton Rouge, Louisiana, an Instructor in the School of Journalism at Louisiana State University as well as a reporter, columnist, and editorial writer on the Baton Rouge *State-Times*. Mr. Rivers received his B.A. and M.A. in Journalism from Louisiana State University in 1951 and 1952, respectively. After graduation, he was a reporter and editorial columnist for the Panama City (Fla.) *News-Herald*, and has contributed some 50 popular articles to various national magazines.

As first alternate to the five awards made in the fields of political science and law, Charles L. Clapp, 31, of Berkeley, California, was named; James W. Pratt, 29, of Akron, Ohio, was named second alternate in this category.

John F. Burby, 29, of Honolulu, Hawaii, reporter for the Honolulu *Advertiser*, was designated as first alternate to the five awards made in the field of journalism. Robert P. Dorang, 29, of Buffalo, New York, a reporter with the Buffalo *Evening News*, was named second alternate in the journalism category.

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PRESIDENCY AND LEGISLATION: THE GROWTH OF CENTRAL CLEARANCE

RICHARD E. NEUSTADT

Columbia University

Ten months after President Eisenhower's inaugural, an article in *Fortune* extolled a presidential aide in terms which would have seemed familiar ten months before;¹ the picture of his role in Eisenhower's entourage might easily have been drawn in President Truman's time. The subject of this piece was Roger W. Jones, an Assistant Director of the Bureau of the Budget and chief of its Office of Legislative Reference. In *Fortune's* terms, here was a confidential, if "non-political," member of the White House circle performing tasks of great importance to the President, trusted, respected, and relied upon by all of his associates. As an analysis of governmental functions and relationships, this testimonial was scarcely definitive, but its mere publication testifies to the continuation of the Budget Bureau's so-called legislative clearance operations, handily surviving the Great Transition of 1953.

What are these clearance operations? Essentially they amount to central coordination and review of stands taken by the various federal agencies at three successive stages of the legislative process.

Large numbers of the public measures introduced in Congress are formally proposed by agencies of the executive branch; departmental drafts officially en route to Congress first have to clear the Bureau of the Budget for interagency coordination and approval on the President's behalf. Once bills are introduced, regardless of their source, congressional committees ordinarily solicit views from interested agencies; official agency responses—in whatever form, to whomever addressed—first channel through the Budget Bureau for coordination and advice on each bill's relation to the President's program. When enrolled enactments come from Congress to the President for signature or veto, the Budget Bureau, as his agent, obtains, coordinates, and summarizes agency opinion on the merits, preparing in each case a presidential dossier complete with covering recommendation.

¹ Katherine Hammill, "This is a Bureaucrat," *Fortune*, Vol. 48, pp. 156 ff. (Nov., 1953).

These are the components of "legislative clearance" as the term is normally employed.² In practice, these operations are much more complex and a good deal less absolute than this simple recital would indicate. But generally speaking, central clearance has proceeded along these lines for many years.

Last year, despite the change of Administration, 380 agency drafts, 3,571 agency reports on pending bills, and 525 enrolled enactments were processed by the Budget Bureau.³ In 1954, the Bureau's Office of Legislative Reference, control center for clearance operations, is handling an even larger volume—with President Eisenhower and Budget Director Hughes earnestly supporting clearance regulations in effect since 1948, signed by a Budget Director long out of office, issued "by direction" of the President whose term expired January 20, 1953.⁴

Here is presidential machinery to coordinate a vital aspect of executive policy development; machinery to control, in some degree at least, the means by which the diverse elements of the executive express and implement their own designs. In Truman's time this mechanism was, as one observer put it, "the only clearing house that operates regularly between the multitudinous departments and bureaus . . . sometimes the only possible way to get government agencies working together. . . ."⁵ In the present Administration, it may well be that legislative clearance is losing this particular distinction. Elsewhere in the Executive Office of the President, new life has been breathed into the National Security Council, as an apparatus of policy coordination and control. Even the Council of Economic Advisers, with its revised chairmanship and interdepartmental advisory board, shows signs of institutional advance in these directions. So, indeed, does the Cabinet—though history suggests this may not last.

But if legislative clearance is no longer unique, it is by far the oldest, best intrenched, most thoroughly institutionalized of the President's coordinative instruments—always excepting the budget itself—receiving new stability and new significance by virtue of its demonstrated power to adapt and to survive. And this power is not something suddenly achieved and first displayed in 1953. The central clearance system has surmounted every governmental transition since the 1920's, preserving into Eisenhower's term not only the accretions of two Democratic decades, but even the inheritance from Harding, Coolidge, and Hoover.

² Agency proposals for executive orders, proclamations, and certain other formal presidential actions are also coordinated and cleared through the Bureau of the Budget, as are feasibility reports on proposed public works requiring congressional action.

³ Source: Office of Legislative Reference, Bureau of the Budget. In addition, there were 889 "direct referrals" from congressional sources asking Budget for views on pending bills.

⁴ Budget Circular A-19, Revised, dated October 25, 1948 sets forth coordination and clearance procedures and requirements concerning proposed and pending bills. Budget Circular A-9, Revised, issued at the same time, deals with enrolled enactments. Both circulars codified and brought up to date earlier usage and regulations.

⁵ Bertram M. Gross, *The Legislative Struggle* (New York, 1953), p. 169.

What is the nature of this mechanism? How has it adapted? Why has it survived? These are the questions to which this paper is addressed.⁶

I. FINANCIAL CLEARANCE IN THE TWENTIES

When President Harding approved the Budget and Accounting Act on June 10, 1921, the federal agencies lost their historic freedom to decide for themselves what appropriations they should ask of Congress; now the President, alone, was to decide and to request, with a new staff agency, the Budget Bureau, to help him do it. Moreover, in accordance with the Act's intent, but one committee in each House of Congress was to receive and review appropriation requests.⁷ Here, prescribed in law, was a new restrictive way of handling the life-and-death concerns of every agency—and most congressmen. And here were new organizations with a tremendous institutional stake in the successful assertion of that new way: the presidential Bureau of the Budget and the congressional Committees on Appropriations. Furthermore, these organizations had a clear mutuality of interest in closing off, as nearly as might be, all avenues to action on appropriations save their own. Substantive congressional committees, no less than executive agencies, were potential conspirators against the exclusive jurisdictions conferred by the new budget system. Facing common dangers, the system's beneficiaries made common cause. Central legislative clearance was a principal result.

It is significant of this community of interest that the original proposal for some form of central clearance came not from the new Budget Bureau, but from the House Appropriations Committee. In November, 1921, less than a month before the first presidential budget went to Congress, the Committee Chairman voiced to the Budget Director his concern about two minor measures—introduced at an agency's request and referred to a substantive committee—which authorized diversion of appropriated funds from the purposes originally specified. In the Chairman's view, "... matters of this character should come through the Bureau of the Budget . . . I have called them to your attention in order that you may take . . . steps . . . to include [such] requests . . . in the control which the Bureau has over direct estimates."⁸ It was this congressional

⁶ This article deals with legislative coordination and review centering in the Bureau of the Budget. At a later date the author hopes to deal with a related process, planning the President's own legislative program: a process but newly and incompletely institutionalized, centering more nearly in the White House than the Budget Bureau, yet also exhibiting a high degree of continuity from Truman's time to Eisenhower's.

⁷ As an integral part of the budget reform, the House of Representatives changed its rules in 1920, at the second session of the 66th Congress, to reduce from eight to one the number of committees authorized to deal with appropriations. The Senate followed suit two years later, at the second session of the 67th Congress.

⁸ Letter from Chairman Madden of the House Appropriations Committee to Budget Director Dawes, November 17, 1921. Budget Bureau central files; 1921-38: *Legislation No. 1*. The measures in question were Senate Joint Resolutions of very limited significance, affecting War Department obligating authority. Madden's concern was clearly not with these specifics, but with their procedural implications.

observation which precipitated the first presidential effort to assert central control over agency views on proposed and pending legislation, an effort embodied in Budget Circular 49, issued December 19, 1921, "by direction of the President," after clearance with the House Committee.

This first approach to legislative clearance was a rather curious affair. The language of the Budget Circular was very sweeping, requiring—in accordance with the "spirit" of the Budget and Accounting Act—that all agency proposals for legislation or expressions of views on pending legislation "the effect of which would be to create a charge upon the public treasury or commit the government to obligations which would later require appropriations," be submitted to the Budget Bureau before presentation to Congress. The Bureau was to make recommendations to the President, ascertain the "relationship of the legislation to the President's financial program," and advise the agencies accordingly. Agency proposals for legislation were to go forward only if approved by the President; agency views on pending legislation, when presented to Congress, were to include a statement of the advice received from the Budget Bureau.⁹

Here, at least on paper, was a new assertion of presidential control over the agencies, a new form of continuing staff intervention between President and department heads, conceptually a radical departure in American administration matched only by the new budget process. Yet the official sponsors of Circular 49 avowed no such intent. There is nothing in the record prior to the order's issuance to show that either the Budget Director or the President grasped these implications in the language they approved.¹⁰ But there is plenty in the record demonstrating that the members of the Cabinet did not leave them long in ignorance, once the order had gone out. The subsequent course of legislative clearance in Harding's time is mainly a matter of apologies, concessions, limitations tacitly approved or self-applied, to soften agency reactions against Circular 49.

The agencies were aroused both by the Circular's potential coverage—broadly interpreted, its criteria reached virtually all subjects of legislation—

⁹ In contrast with the asserted presidential veto over agency proposals volunteered to Congress, this circular and its successors have carefully refrained from claiming any right to stop or alter agency responses to congressional requests for views on pending bills. Formally speaking, the only requirement has been that the President's position, as expressed by Budget, be stated in an agency report along with the agency's own views. Furthermore, by long custom now acknowledged in current regulations, an agency's response to congressional requests for "technical drafting service" is exempt from clearance so long as it carries no official endorsement. Thus has the Budget tried to duck the charge of "interference" with congressional access to agency opinion or expertise. In practice, this means non-interference with agency calculation of the risks involved, if any, in holding to views which do not square with those of the Executive Office.

¹⁰ Dawes obtained Harding's approval in advance, sending him the proposed circular on December 3, 1921, with the notation that it "needs no argument," being intended "simply to insure that all estimates and requests for appropriations [are] presented in the manner provided in the Budget and Accounting Act." Dawes may have said less than he believed, but there is no hint of this either in the official files or in his published memoirs, *The First Year of the Budget* (New York, 1923).

and by interposition of the Budget Bureau between them and the President on such a range of measures. In beating his retreat, at the President's behest, Dawes did not try to find fixed subject-matter limits for his procedure; instead he let it be known that matters of importance could be cleared with the President directly. Only on routine affairs would the Budget act as agent.¹¹ In practice, Dawes went even farther, leaving interpretation and compliance to departmental discretion. The Budget Bureau neither guided nor protested; the agencies proceeded accordingly.

For two years Circular 49 remained in limbo. Then a new Administration seized on this empty order and within it built a strong and well enforced, if narrowly defined accessory to central budgeting. The forms of financial clearance are traceable to Harding's time. The actuality begins with Coolidge.

By early 1924, the presidential budget system was a going concern, veteran of three "budget seasons." The Budget Bureau had been staffed and organized, routines established, procedures set. The Bureau's leadership had passed from Dawes to his handpicked successor, General Lord, a zealot for the small economy.¹² And the presidency had passed to perhaps the most determined economizer ever to hold the office. "I am for economy and after that I am for more economy," so Coolidge put it, conceiving economy not merely as a matter of politics or economics, but as an exercise in personal morality, an ethical principle, a constitutional requirement, an end in itself.¹³ In the Coolidge Administration the theme of budget policy was reduction: reduction of expenditures, of taxes, and of the public debt, with presidential budgeting mainly a means of cutting back on current outlays and avoiding new commitments. It is in this context that legislative clearance was revived.

Early in 1924, the Budget Bureau, with presidential support, began a vigor-

¹¹ This modification was suggested by Harding himself at a conference with Dawes in January, 1922. A formal amendment to Circular 49 was actually drafted along these lines but was never issued; an oral clarification in Cabinet meeting appears to have been substituted, supplemented by explicit waivers of jurisdiction in Budget Bureau correspondence with particular departments. Budget Bureau, central files; 1921-38: *Legislation No. 1*. For detailed discussion of this and other aspects of the subject, see Richard E. Neustadt, "Presidential Clearance of Legislation," unpub. diss. (Harvard, 1950), pp. 28 ff.

¹² Herbert Lord, an army careerist and wartime associate of Dawes, served as Budget Director from 1922 to 1929. It was his custom, in the search for economy, to inspect his subordinates' desk drawers after office hours, confiscating extra pencils, paper clips, and pads of paper. Note that the total full-time Bureau staff numbered less than thirty in 1924. Ten years later the total was still under forty.

¹³ *Addresses of The President of the United States and the Director of the Bureau of the Budget at the Seventh Regular Meeting of the Business Organization of the Government* (Washington, G.P.O., 1924), p. 6. See also the corresponding releases for the ninth meeting (1925), and the eleventh meeting (1926). The Business Organization of the Government, including all department heads and bureau chiefs, met semi-annually from 1922 to 1929 for purposes of presidential exhortation on, and departmental oaths of fealty to, economy in government. Coolidge's addresses on these occasions are classics of their kind. A Dawes innovation, becoming more ritualistic with each passing year, these meetings were abruptly terminated by Herbert Hoover when he assumed the presidency after years of attendance as Secretary of Commerce.

ous campaign to activate Circular 49. For nearly two years, Lord peppered key departments with letters of warning, abjuration, and complaint, backed by a considerable amount of Budget staff investigation and analysis.¹⁴ By 1926, he was able to report that agency compliance had become "practically universal."¹⁵ Of course, the Coolidge clearance system, thus successfully asserted, was carried on within a very narrow frame of reference. Cabinet officers were constrained to accept Budget Bureau placement between them and the President, but only on proposals clearly costing money, and only with respect to cost, not substance. The Bureau's task of ascertaining the relationship of agency proposals to presidential program was rendered relatively safe and sure by virtue of the program's identification with recorded budget policies and estimates.

The purpose of the exercise is clear from Budget's rules of thumb for processing what came its way. An adverse agency report on a pending measure was usually taken as conclusive. An affirmative report resulted in careful scrutiny of relationship to the current budget and implications for future years. It was common practice to hold favorable agency reports "in conflict" with the President's financial program. Frequently, legislation was held "in conflict" unless the money authorization were reduced. This negative advice also applied wherever a semblance of prior legislative authority could be found to render the current proposal "unnecessary."¹⁶ When the Bureau was confronted with opposing views from two departments, its normal procedure was to endorse the negative position. If this were not feasible, an independent staff analysis was sometimes made the basis for decision. Changes in drafting were sometimes suggested to the agencies, but always as a Budget idea, not as the result of any effort at coordination. Occasionally, the Bureau would attempt to mediate major differences of opinion, but it never undertook to seek them out.

The Coolidge clearance system, then, was quite straightforward in its negative endeavor to buttress the President's control over his budget policies and his—or the Budget Bureau's—forward financial plans. In no sense did the system operate as a coordinative or developmental mechanism in areas of substantive policy. And what was true in Coolidge's Administration was also true in his successor's term. President Hoover not only inherited and applied this form of central clearance, he even refined its terms of reference, emphasizing more than ever its budgetary association and its negative cast.

Shortly after his inauguration, Hoover suggested that the Budget Bureau

¹⁴ For a detailed review of these efforts, see Donald A. Hansen, "Legislative Clearance by the Bureau of the Budget," unpub. staff monograph (Budget Bureau, 1940), pp. 10–19. For Lord's correspondence with departments, see Budget Bureau central files; 1921–38: *Legislation No. 1*.

¹⁵ Bureau of the Budget, *Third Annual Report of the Director of the Bureau of the Budget to the President of the United States* (Washington, G.P.O., 1926), p. 28. Within his limited frame of reference, Lord's claim for compliance appears reasonably accurate. Apparently he was afforded the opportunity to see in advance those legislative reports and proposals that he and the President really wanted. See Hansen, *op. cit.*, pp. 19 ff.

¹⁶ Hansen, *op. cit.*, especially pp. 17–20. See also Budget Bureau central files; 1921–38: *Legislation No. 1* for a variety of typical clearance letters in this period.

take no action on agency requests for clearance unless and until it received a clear intimation of congressional interest. The President intended personally to approve all clearance actions and saw no point in bothering with measures which were not going to receive action.¹⁷ A further refinement followed late in 1929, when Hoover sanctioned a formal amendment to Circular 49 exempting from clearance all agency reports on private bills and all *unfavorable* reports on public bills.¹⁸

These minor changes simply put finishing touches on the edifice of Coolidge clearance; within these limits, the character of clearance actions remained unchanged through Hoover's term. His budgetary problems became immeasurably more difficult than Coolidge's had been. As the economic decline worsened after 1929 and federal revenues fell steadily, enormous pressures built up for increased federal spending. But the Hoover Administration remained unalterably opposed to deliberate deficit financing, and in its clearance operations the Budget Bureau tried harder than ever to ward off all possible legislative authorizations for unbudgeted expenditure.¹⁹ Of course, after the mid-term elections of 1930 the President was unable either to develop a coherent budget policy and make it stick, or to avoid the opposition's criticism for his failure to do so. And in that painful situation, financial clearance became the least of remedies.

II. THE ROOSEVELT REVOLUTION AND POLICY CLEARANCE

President Franklin D. Roosevelt's inaugural in 1933 was accompanied by a clean sweep topside in all the departments, after twelve years of continuity under the Republicans. The procedures for financial clearance had grown up in those years and concern about them, or even understanding of them, seems to have been carried off with the outgoing Administration. The succeeding

¹⁷ Budget Bureau central files; 1921-38: *Legislation No. 1*, Budget Director's Memorandum to the files, May 17, 1929. Hoover actually did review and initial virtually every Budget Bureau clearance letter issued during his term of office, an interesting commentary on the presidency of twenty-five years ago. The documentation behind such letters was relatively haphazard in those days, frequently lacking in summaries of the issues, or of agency positions, or even of the bills themselves. The President must often have had to plow through the legislative language to reach an understanding of the subject at hand.

¹⁸ Budget Circular 273, issued December 20, 1929. The Budget Bureau shortly found it expedient to issue supplementary instructions requiring that to qualify for the exemption, reports on public bills must be definitely unfavorable, not merely non-committal. This amplifying note was contained in a "Memorandum to the Heads of all Departments and Establishments," issued April 10, 1930, "by direction of the President." In Coolidge's regime, these types of reports had received almost automatic clearance from the Budget Bureau, usually without referral to the President.

¹⁹ This theme appears strongly in Hoover's last three Budget messages. For example: "... we cannot afford to embark on any new or enlarged ventures. . . . There will be before the Congress many legislative matters involving additions to our estimated expenditures. . . . The plea of unemployment will be advanced . . . but Congress [should] give full due to our financial outlook. . . . In the absence of further legislation . . . we can close [the] year with a balanced budget." *Message of the President of the United States Transmitting the Budget for the Fiscal Year Ending June 30, 1932* (Washington, G.P.O., 1930), p. XIX.

regime was enormously busy and very new.²⁰ Only the President himself was really familiar with governmental administration. His cabinet members were novices at it.²¹ Moreover, they were moving at much too fast a pace to stop for the niceties of an auxiliary budget procedure.

They moved fast; they moved the federal government into unprecedented ventures, into new spheres of action on many different fronts. The first years of the New Deal released a torrent of measures for reform, and these were mingled with a host of shifting, often contradictory improvisations in the fight against depression. Roosevelt had pledged financial stringency in the 1932 campaign, attacking Hoover on home grounds. During the next two years "sound money" and "economy in government" remained on-again-off-again themes, but sounding ever fainter as the New Deal gathered impetus, their principal adherents mostly out of office before the end of 1934.²²

The motives which led Coolidge's Administration to stress financial clearance were scarcely in the forefront of the new regime's concerns. Not until January, 1934 did the Budget Bureau take any steps to remind department heads of their continuing obligations under the old circulars. And then the Bureau's action was muted, almost apologetic. Taken by the staff, not the Director, it was a bureaucratic restoration of routines, not in any sense a presidentially-inspired campaign for compliance.²³

Roosevelt's contribution to central clearance was of quite another order. Nearly a year after this Budget Bureau "restoration" of financial clearance, the President took the initiative in launching a different kind of clearance: clearance of all agency proposals for legislation, "policy" clearance in substantive terms.

Roosevelt brought the matter up on his own motion at a National Emergency Council Meeting in December, 1934, shortly before the convening of the 74th

²⁰ For sidelights on the "newness" of the incoming Cabinet see Frances Perkins, *The Roosevelt I Knew* (New York, 1946), pp. 228-30. See also Harold Ickes, *The First Thousand Days* (New York, 1953).

²¹ Roosevelt's really extraordinary grasp of the tempo and politics of departmental administration comes clear in the meetings of the National Emergency Council, an enlarged Cabinet group which met under his chairmanship from 1933 to 1936. The verbatim transcripts of these meetings, available in the National Archives, preserve intact his "lectures" to his department heads on such subjects as how to manage bureau chiefs, congressional committees, and the press.

²² Notably Roosevelt's first Budget Director, Lewis Douglas, and his first Undersecretary of the Treasury, Dean Acheson. Both returned to government with the coming of World War II.

²³ The Bureau's reminder was contained in a memorandum from the Budget Director's career assistant to the heads of all major agencies, January 22, 1934. It was a gently phrased affair and while most of the agencies replied in kind, the Bureau's records indicate that they were slow to take their duties very seriously. See Budget Bureau central files; 1921-38: *Legislation No. 1*. Budget Director Douglas seems to have had no part in this proceeding, nor much interest in the outcome. Two weeks later, when queried by a Cabinet member, he expressed himself as unfamiliar with the "old orders," and uncertain of their scope. See National Emergency Council, *Proceedings of the Fourth Meeting* (February 6, 1934), pp. 21 ff.

Congress. He told the assembled officials he had decided to stop the practice of uncoordinated agency requests for legislation. At the preceding session of Congress he had been "quite horrified—not once but half a dozen times—by reading in the paper that some department or agency was after this, that, or the other without my knowledge."²⁴ He wanted no more of that. In the future, agency officials should come to him with their proposals before taking them to Congress.

One Cabinet officer observed that the departments were already clearing through the Budget Bureau. Roosevelt brushed this aside. "That," he said, "was for appropriations. What I am talking about is legislation. . . . Coming down to legislation there has never been any clearing house . . . and, I think in the last analysis that has got to be tried in and go through the National Emergency Council . . . and up to me if necessary. In all probability it will come to me."²⁵

On December 13, 1934, the secretariat of the Emergency Council followed up the President's remarks with a memorandum to all members, signed by Donald Richberg, then NEC's Executive Director. This instructed the agencies that at the forthcoming Congress all proposals for appropriations and all bills "carrying appropriations measures" should be cleared with the President through the Bureau of the Budget. All "other proposed legislation" was to be cleared through the Council's Executive Director, or in certain cases with special-purpose NEC committees.

While this directive referred to proposals only and contained a caveat on appropriation matters, its language was far from precise. The result was widespread confusion over the relationship between the new procedure and the old Budget circulars. In April, 1935, the Acting Budget Director, Daniel Bell, protested to Richberg; the problem was raised at an Emergency Council meeting on April 23 and the President decided that clarifying instructions should go out.²⁶ These took the form of a new Budget Circular 336, issued "by direction of the President" on December 21, 1935.²⁷

Circular 336 brought together and superseded outstanding NEC directives, as well as previous Budget circulars. It provided that all agency proposals for legislation and all reports on pending legislation should clear through the Budg-

²⁴ National Emergency Council, *Proceedings of the Nineteenth Meeting* (December 11, 1934), p. 7.

²⁵ *Ibid.*

²⁶ National Emergency Council, *Proceedings of the Twenty-sixth Meeting* (April 23, 1935), p. 8. Bell, at the time a senior career official in the Treasury Department, had taken the Budget Directorship on an acting basis after Douglas' departure. He held the job in addition to his duties as a special assistant to Secretary Morgenthau and this "temporary" arrangement was continued for nearly five years, until Harold Smith relieved him in 1939.

²⁷ This new order was discussed by the Emergency Council before issuance and the President then went to great lengths to emphasize his personal approval. See National Emergency Council, *Proceedings of the Twenty-eighth meeting* (December 17, 1935), pp. 14-23.

et Bureau "for consideration by the President," before submission to Congress; as before, private relief bills were exempted. Agency proposals or reports when subsequently sent to Congress were to include a statement as to "whether proposed legislation was or was not in accord with the President's program." This was also to apply to oral testimony before congressional committees.

Procedurally, the circular provided that the Budget Bureau was to check directly with the President on legislation "solely concerning fiscal matters." Legislation "solely concerning policy matters" was to be referred to the President through the Emergency Council staff. The two organizations were to clear with him jointly on legislation involving both "fiscal" and "policy" matters. The Council was to inform the Bureau of clearances which it obtained from the President independently; the Bureau was to inform the agencies in all instances.

In print—and in practice—these procedures had a very clumsy look; for obvious reasons they proved cumbersome and somewhat unrealistic. Two years later they were superseded. But while the mechanics were transitional, the basic requirements have remained in force, without essential change, for nineteen years.

The Roosevelt clearance system, thus established, incorporated its financial precursor but was no mere extension of the budget process.²⁸ On the contrary, in form and fact and terms of reference this was Roosevelt's creation, intended to protect not just his budget, but his prerogatives, his freedom of action, and his choice of policies, in an era of fast-growing government and of determined presidential leadership.

Roosevelt's statements make it plain that he sought to protect both President from agencies and agencies from one another. In the first place, he wanted the Administration's stand made known on agency proposals, not only in his own defense but for the sake of everyone concerned, including the congressional leaders. Of these proposals he remarked:

They fall into three categories: first, the kind of legislation that, administratively, I could not give approval to—[clearance] will eliminate that; secondly, the type of legislation which we are perfectly willing to have the department or agency press for, but at the same time we do not want to put it in the [third] category of major Administration bills. Obviously I have to confine myself to what the newspapers called last year "the comparatively small list of *must* legislation." If I make every bill that the Government is interested in *must* legislation, it is going to complicate things . . . very much; and where I clear legislation with a notation that says "no objection" that means you are at perfect liberty to try to get the thing through, but I am not going to send a special message for it. It is all your trouble, not mine.²⁹

²⁸ In 1937, when a revision of Circular 336 was under discussion, F. J. Bailey—soon to become the first Assistant Budget Director for Legislative Reference—wrote an undated memorandum pointing out that "there is no authority whatever in the Budget and Accounting Act for our procedure with respect to reports on legislation. And I would not try to make believe that there is. The authority we have over [these] reports comes from Executive authority and *not* from any Act of Congress." Budget Bureau central files; 1921-38: *Legislation No. 2*.

²⁹ National Emergency Council, *Proceedings of the Twenty-second Meeting* (January 22, 1935), p. 2.

In the second place, it was good business to have ideas and information contributed by all agencies concerned, not just the originating departments. Having bills cleared through a central agency would, in Roosevelt's words, "give somebody else outside the department itself the opportunity to have happy thoughts."³⁰ Moreover, such exchanges in advance would prevent crossed wires within the Administration. The President did not want the agencies "stepping on each others' toes" and he definitely did not want them "stepping on mine . . ."

Just the other day a resolution was passed through Congress—a House resolution that did not even have to come to me—asking for a certain report on a very important matter from one of the departments. It was a policy matter. The department was asked to send the report up to the Committee and nobody outside the department knew about it. We happened to catch it. If the report had gone up in the form in which it was prepared, it would have been absolutely contrary to the policy of the Government.³¹

On pending bills which the Administration had not sponsored, he wanted the departments to keep out of each others' way:

In all our testimony before Congress and in all our answers to questions, let us stick to our own last and let us be factual about it. This is one of the most important things that has been said for a long time . . . let us say the Secretary of Agriculture goes up there and he doesn't know much about the bill, but he knows that he is going to be asked about it. It might . . . [relate] . . . not only to Agriculture but to Interior and some other departments as well and he ought to in some way find out what the general attitude is through some kind of clearing house. . . .³²

Thus Roosevelt expressed the purpose of his new clearance system: by and large a negative purpose, even as Coolidge's had been. An opportunity for "happy thoughts" apart, the system's new coordinative elements, no less than broadened clearances, were seen primarily as means to keep the many-voiced executive from shouting itself down in the legislative process.

Granting Roosevelt's purpose, what, in fact, did he obtain? Initially, not very much:

Clearance as practiced in the 74th Congress [1935-6] was restricted almost entirely to minor departmental bills . . . nearly all of the really important bills and many minor measures originating in the Executive Branch, did not pass through this machinery. . . . Matters discussed with the President in person by a department head were not submitted for clearance, except in a few cases . . . the President's approval, orally given or read into his statements was deemed sufficient . . . nearly all of the measures about which the President sent messages to the Congress [the major administration bills] . . . [were] . . . exempt from clearance . . . many lesser matters also escaped such checking.³³

This appraisal was based on a study utilizing only Emergency Council records.

³⁰ *Ibid.*, p. 3.

³¹ National Emergency Council, *Proceeding of the Twenty-eighth Meeting* (December 17, 1935), p. 17.

³² *Ibid.*, pp. 19-21.

³³ Edwin E. Witte, "The Preparation of Prosposed Legislative Measures by Administrative Departments," *Studies on Administrative Management in the Government of the United States for the President's Committee on Administrative Management* (Washington: G.P.O., 1937), p. 56.

A later survey of the period, based on Budget Bureau files, concluded that there was "less evidence of deliberate agency failure to comply . . . than of Bureau failure to follow the prescribed procedure in the clearance of policy matters."³⁴ Perhaps so—but there is nothing in print or on file to controvert the general tenor of the earlier view.

Yet by 1939 the Budget Director was talking confidently before Congress of the scope and general coverage of central clearance.³⁵ In 1943, an acute and experienced observer could write that Budget clearance was "frequently commanding," the Bureau's influence "very great."³⁶ For this changed appraisal at least four things were responsible: the demise of NEC, the Budget Bureau's great expansion, the slowing down of New Deal creativity, and the formal marriage of central clearance to the veto power.

The Emergency Council was dying on the vine by 1936, commanding little presidential interest, or agency respect. Its diminished status and potential were accurately reflected in the Brownlow Committee's recommendation that the Council be abolished, and its staff activities discarded or dispersed.³⁷ Undoubtedly the Council's relative and growing weakness had much to do with the lax attitude of agencies and Budget Bureau toward the Executive Director's prerogatives under Circular 336. Had he been the sole institutional peg for "policy" clearance, that process might well have gone under also, retrievable with difficulty, if at all. But behind him stood the Budget. When he vanished, it inherited. This happened, actually, as a matter of course, a detail of administrative tidying, a minor item among all the major changes in the Bureau's status, role, and outlook envisaged by and following upon the Brownlow Committee Report of January, 1937.³⁸

In the two years after publication of the Report, the Bureau moved, as never since the twenties, to strengthen and consolidate its clearance operations. In the spring of 1937, Director Bell loosed a stream of correspondence on the agencies, reminiscent of Lord's effort thirteen years before.³⁹ In December,

³⁴ Hansen, "Legislative Clearance by the Bureau of the Budget" (cited in note 14), p. 34.

³⁵ Testimony by Daniel W. Bell, Acting Director of the Budget, before the Treasury Subcommittee of the House Committee on Appropriations, *Hearings on the Treasury Department Appropriation Bill for 1940*, 76th Cong., 1st sess. (Washington, G.P.O., 1939), p. 936.

³⁶ Roland Young, *This is Congress* (New York, 1943), p. 59.

³⁷ See President's Committee on Administrative Management, *Report with Special Studies* (Washington, G.P.O., 1937), pp. 15-21.

³⁸ *Ibid.* The Report recommended essentially that the Budget Bureau become the President's chief staff agent for "administrative management," enlarged, revitalized, and formally made part of the President's own office. In passing, the report endorsed a staff proposal that NEC clearance functions devolve upon the Bureau, with Circular 336 simplified accordingly and then generally enforced. In so urging, the Committee simply followed the logic of events, which fitted neatly enough into its major theme: building up the Budget Bureau.

³⁹ See Budget Bureau central files; 1921-38: *Legislation No. 2*, especially entries between March and May, 1937.

1937, Circular 336 was formally re-issued—renumbered 344—as a means of removing reference to the Emergency Council in official clearance instructions.⁴⁰ Henceforth, the Bureau was to be in form and fact the President's sole institutional clearance agent, on matters of substance no less than finance. Internally, also, the Bureau acted—Brownlow Report in hand—to put new life and strength into the job. In 1938, Bell increased the staff assigned specifically to clearance work, reorganized it as a separate, full-time, undertaking and gave it status as a major Bureau function, autonomously organized in a Division of Coordination, precursor of the present Office of Legislative Reference.⁴¹

During 1939, in the first session of the 76th Congress, the Budget Bureau processed agency reports on 2,448 pending public bills. Four years before, in the days of financial clearance, only 300 pending measures had been covered by submissions to the Bureau. Again, in 1939 the Bureau handled 438 drafts of proposed legislation; this compares with 170 proposals sent by the agencies to NEC under the procedure of 1935, or 162 proposals sent to NEC and Budget both, under the procedure of 1936.⁴² These figures are illustrative of the rise in clearance coverage after 1937, though nothing can be more elusive than the search for such objective measurements, nor anything more misleading than raw data of this type.⁴³ But there are other evidences also, in Budget Bureau

⁴⁰ Circular 344—virtually identical in its terms with 336, save for deletion of NEC's participation—was drafted in May, 1937, but for various reasons, mechanical and other, was not released to the agencies until December 17, 1937. Circular 344 was later renumbered A-19.

⁴¹ In 1938, the President obtained from Congress a supplemental appropriation enabling the Budget Bureau to start tooling up for the new or redefined tasks envisaged in the Brownlow Report. For details on the ensuing reorganization and restaffing see Bell's testimony, *Hearings* (cited in note 35), pp. 936–55. This preceded by a year the Bureau's formal transfer from the Treasury to the Executive Office of the President (Reorganization Plan I and Executive Order 8,248 of 1939). Before Bell's reorganization, clearance work had been handled almost entirely by the Bureau's estimates examiners as an adjunct of their other duties. The new Division of Coordination was conceived, both in the Brownlow studies and by its Bureau sponsors, as a small, full-time unit to guide and coordinate, but not supplant, the contribution of all other Bureau staff to legislative analysis and review. This has remained the concept, though since World War II not just the Bureau but the whole growing Executive Office has become the field from which staff contributions have been sought. By 1939, the Coordination Division's professional staff for legislation numbered five; in the fifteen years since, the comparable figure has never risen above nine. The unit's changes in title have had no substantive purpose or effect.

⁴² Source of Budget figures: Office of Legislative Reference, Bureau of the Budget. For NEC figures see Witte, *op. cit.*, p. 53.

⁴³ To illustrate: In the 1939 session some 5,000 public bills were introduced in the two Houses of Congress; of these, 452 were passed by both Houses and enrolled that year. But only an item-by-item comparison—which no one has ever made—would show the relationship between the 2,400-odd bills cleared and the 5,000 introduced, or between the 438 drafts cleared and the 452 bills passed. To complicate the issue further, the figures on drafts cleared and on bills enrolled represent separate subjects in virtually all cases; not so the figures on bills introduced, where substantial duplications within or between the two Houses may run as high as forty per cent in the average first session. This is an estimate; firm data are not available.

files of agency and White House correspondence, and in transcripts of legislative hearings and debate, to demonstrate that central clearance was now reaching wider than before.⁴⁴

The climate of the times, perhaps, contributed to this no less than did improved organization and procedure. The main thrust of New Deal innovation was long past by 1939. The emergency had lost its cutting edge; emergency agencies had either disappeared or dug roots into routine. In Europe and in Asia world war threatened. In Congress, the anti-New Deal coalition had become a formidable fact of life. In the executive, sails were trimmed accordingly. Real legislative ambitions for most agencies were now measured largely by consolidation and amendment—goals much more easily contained in clearance channels than the great, unprecedented ventures once hurried before relatively complaisant Congresses.

And one thing more: in 1938, the Budget Bureau gained a new sanction, and an unassailable rationale, for its clearance of proposed and pending measures. That year, the Bureau came into control of agency communications to the President on signature or veto of enrolled bills. Henceforth, Roosevelt's clearance agency was also his chief institutional advisor on the generality of measures passed by Congress. Within this combination lay real power, and the Bureau made the most of it.

III. POLICY CLEARANCE AND THE VETO POWER

Traditionally, Presidents have sought advice from their department heads on disposition of enrolled enactments. Until the thirties, though, this custom had some drastic built-in limitations. When an enrolled bill reached the White House, the President's Secretary or Executive Clerk would hazard a quick guess at the agencies concerned; the bill itself would then be passed by hand to each in turn—a document of state, handled with care—and their replies, filtering back, one by one, would get such correlation as hard-pressed White House aides might manage. All this went on during the ten days within which the President could veto. Frequently he was but poorly served, receiving very late, for fast decision, an ill-digested mountain of material.⁴⁵

From its establishment in 1921, the Budget Bureau had been asked for views on each enrolled appropriations bill. In 1934, Roosevelt told his staff to get

⁴⁴ For examples see Hansen, *op cit.*, pp. 81–84.

⁴⁵ There were other hazards too: "... one enrolled bill was lost and once when we called up one of the new [New Deal] agencies and asked where the bill was, they said they had put it in the files." Testimony of Frederick J. Bailey, Assistant Director for Legislative Reference, Bureau of the Budget, before the House Committee on the Civil Service, 78th Congress, 1st sess. *Hearings Pursuant to H. Res. 16.*, Part 2 (Washington, G.P.O., 1943), p. 361. The writer is indebted to Bailey; to the late Maurice Latta, former White House Executive Clerk, whose tenure in subordinate capacities began with McKinley; to William J. Hopkins, Latta's successor as Executive Clerk; and to James H. Rowe, Jr., a Roosevelt Administrative Assistant, for data on the evolution of enrolled bill procedure. Information here provided is drawn from their recollections, from Roosevelt's enrolled bill files (now at Hyde Park), and from contemporary Budget Bureau records.

Bureau reactions on all private relief bills involving an expenditure of funds. His aides went one step further, urging—as a measure for their own relief—that on such bills the Bureau also seek and summarize the views of other agencies concerned. This worked, and presently, without fanfare, the White House staff began to send across the street all manner of substantive public bills as well, asking the Bureau to circularize agencies and correlate views. By 1938 almost all enrolled bills were going to the Bureau for this handling. That year, the few exceptions followed no clear line of demarcation; after 1939, there were no more exceptions. This process of pragmatic delegation took but five years, from start to finish.

So long as the original enrollments had to be handed around, the Budget Bureau was as helpless as the White House staff had been to make of this anything but a thankless, mainly ministerial performance. In 1938, however, the Public Printer was persuaded to prepare facsimile copies of each enrolled bill; these went directly to the Bureau at the same time the original went back to Congress for signature by Speaker and Vice President. Armed with these copies, the Bureau could put an official text before each agency simultaneously, hours or even days before the bill itself could reach the White House and the President's time began to run.

This was a simple, mechanical improvement, but what it gave was time, and time spelled opportunity. On January 19, 1939, the Bureau issued "by direction of the President" Circular 346, defining agency obligations under the new procedure. For the first time Budget was identified officially as presidential agent on all enrolled enactments. Bureau requests for agency opinions were to receive an absolute priority; agency replies were to be forthcoming within forty-eight hours, and were to include in each case a specific recommendation, backed by as much factual information as possible. Any recommendation against presidential signature was to be accompanied by a draft veto message or memorandum of disapproval (for use with pocket vetoes). In these terms Circular 346 formalized previous practice, giving it a mandatory application beyond anything remotely possible in absence of facsimile procedure.⁴⁶

Within the Budget Bureau, corresponding steps were taken. The chores of asking agencies for views, pressuring the dilatory, correlating replies, reworking message drafts, were all put on a centralized and systematic basis. Summaries and covering recommendations to the President were now developed uniformly, carefully, and in much greater detail than before. All this took organization, specialization, and somebody's time and effort; by 1939, the Bureau had these at hand in its Division of Coordination. There full responsibility for enrolled bills was vested.

This new function quickly became the key element in central clearance. The Budget Bureau's work on agency proposals and reports built up a general, comprehensive record, unmatched elsewhere in government, to buttress its

⁴⁶ "This is a splendid contribution," wrote Rudolph Forster, then White House Executive Clerk, "we could never have got half as far before." Budget Bureau central files; 1921-38: *Enrolled Bills No. 1*, undated memorandum from Forster to F. J. Bailey.

consideration of enrolled bills. At the same time, its mandate on enrolled enactments now lent special point and purpose to clearances of measures in proposed and pending stages.⁴⁷

The veto power's potency in this connection depends, of course, upon its use, and Roosevelt was a constant user. "If the decision is close," he once remarked to his department heads, "I want to veto."⁴⁸ In 1939, he chose to veto sixteen bills despite approval by the Budget Bureau, remarking to an aide, "The Budget is getting too soft; tell them to stiffen up."⁴⁹ Indeed, he was prone to call occasionally for "something I can veto," as a "reminder" to department heads and congressmen alike.⁵⁰ This was not frivolity; to FDR the veto power was among the presidency's greatest attributes, an independent and responsible act of participation in the legislative process, and a means of enforcing congressional and agency respect for presidential preferences or programs.⁵¹

From the beginning, Roosevelt placed a great deal of reliance on the Budget Bureau's weighing and sifting of bureaucratic opinion. On the generality of measures he inclined to discount Cabinet, congressional, and interest group advices which found their joint and several ways directly to the White House. But he took care that there should be, between him and the Budget, some White House staff review to check the institutional approach against the personal, to balance off the presidency with the President. In 1943, that task went to Judge Rosenman, in his new post as Special Counsel to the President; there, with temporary lapses, it has remained, assumed by each of Rosenman's successors in Truman's time and Eisenhower's.⁵²

The Budget Bureau took its staff work on enrolled enactments as seriously as Roosevelt did his veto power. Here, unchallengably in the Budget's hands, was all-important preparation for decisive acts of state, exclusively in presidential jurisdiction. Of course, on the great, controversial measures, the White House could expect appraisals and advice from many other sources and through

⁴⁷ In order to build up back-ground files for use on enrollments, private bills were brought back under clearance at the pending stage by Budget Circular 390, June 1, 1942.

⁴⁸ National Emergency Council, *Proceedings of the Twenty-eighth Meeting* (December 17, 1935), p. 17.

⁴⁹ Budget Bureau central files; 1921-38: *Enrolled Bills No. 1*, undated memorandum from Rudolph Forster to F. J. Bailey.

⁵⁰ See note 45.

⁵¹ All Roosevelt aides consulted by the writer have been emphatically agreed on his conscious adherence to these views and his consistent application of them.

⁵² Review of Budget Bureau submissions on enrolled bills first became a distinct White House assignment in 1939, shortly after the Bureau's formal assumption of responsibility for their handling. Initially, this assignment went to James H. Rowe, Jr., one of the original Administrative Assistants to the President appointed under the Reorganization Act of 1939. Rowe had left the White House by the time Samuel I. Rosenman was appointed Special Counsel in 1943; this work then gravitated naturally to Rosenman, who had performed a similar service for F.D.R. in Albany, a decade earlier. Rosenman was succeeded as Special Counsel by Clark M. Clifford in 1946; Clifford by Charles S. Murphy in 1950; Murphy by Bernard Shanley, the present incumbent, who took office with the Eisenhower Administration.

many other channels. But usually on the general run of bills enrolled at every session, particularly the private bills, the Budget file was the "works." Within the Bureau, priorities were set accordingly.

In Roosevelt's later years, no other element of central clearance received half the attention, time, and effort which Bureau staff gave to enrolled enactments, especially to lesser issues where its word weighed the most. From 1940 on, coordination of proposed and pending bills was routinized increasingly, with stress on negative, protective aspects only, and great reliance on the written word. Rarely were agencies called in for face-to-face discussion; rarely were efforts made to conform clearance actions with the exigencies of the legislative timetable. If agencies and committees wanted such advantages as clearance offered at the pending stage, they could ask and wait their turn; if not, they took their chances when the bills became enrolled.

IV. FROM ROOSEVELT TO TRUMAN

The coming of World War II confirmed this Budget Bureau tendency to concentrate on enrolled bills, its inescapable job, while energy, interest, and opportunity were diverted from staff work on proposed and pending measures. The war itself made operating policies and administrative actions the pivotal affairs of government. Congress lost the center of the stage; the legislative process ceased to be either the Administration's chief concern, or the nation's main measure of governmental progress.

"Dr. New Deal" was succeeded by "Dr. Win-the-War." The new physician prescribed far less than the old in the way of urgent home-front legislation—and most of this in war-related fields, now the concern of new emergency agencies. This was not the stuff, nor these the agencies, to stay confined in peacetime clearance channels. And once their operating conflicts forced establishment of an effective wartime instrument for mediation and control—the Office of War Mobilization—their legislative conflicts and ambitions gravitated toward the War Mobilizer, not the Budget Director.⁵³ The result, of course, was to down-grade all previous coordinators on the governmental stage—not least the Budget Bureau's clearance mechanism. OWM action in the legislative field was limited, deliberately, to matters of the highest policy or greatest urgency. But by the war's end, its successor's interests were proliferating through the government. Most Budget staff accepted, without much demur, OWM's wartime over-shadowing of their coordinating role; they took with far less grace OWMR's widening postwar interventions on the legislative front.

Meanwhile, Truman suddenly succeeded to the presidency. With this the Budget Bureau's role was shaken mightily amidst pangs of transition un-

⁵³ The Office of War Mobilization (OWM) was established by Executive Order 9347, May 27, 1943. It was transformed into a statutory Office of War Mobilization and Reconversion (OWMR) by the War Mobilization and Reconversion Act of 1944. For an admirable summary of OWM-OWMR history, see Herman M. Somers, *Presidential Agency* (Cambridge, Mass., 1950), pp. 47-108.

matched since 1933. The two years after Roosevelt's death were doubly transitional: the government was entangled in a complex shift from war to peace and back again to something in-between; the presidency was in process of adjustment from the old to a new personality, and to new work methods and interpersonal relationships. It was a complex, clouded, often contradictory time, climaxed by the congressional overturn of November, 1946. To the great alterations in the executive, there were now added many changes in personalities and power on Capitol Hill, profoundly affecting relationships and atmosphere at both ends of the Avenue.

In all this swirl, the Budget Bureau stumbled badly, its prestige and position challenged as rarely before or since. Most of the services Roosevelt had charged it to perform were little understood, at first, by the new President and his new team of close associates; legislative clearance least of all. "I simply do not see," allegedly remarked one high-placed Truman aide, "why [legislative] *policy* is any business of the *Budget Bureau*."⁵⁴ Truman's three successive OWMR Directors—Vinson, Snyder, and Steelman—were all, in varying degree, much closer to the President than were the hold-over Budget leaders, Smith and Appleby. And in the months after V-J day, it was to OWMR, not Budget, that Truman and his White House aides looked mainly for help on policy problems, legislative and other.

By mid-summer, 1946, the Budget Bureau's status in the presidential orbit had reached its lowest point. OWMR seemed superficially to be assured a strong, perhaps a permanent position. A new staff agency of unknown policy potential, the Council of Economic Advisers, had just been authorized by statute.⁵⁵ Between these two, the Budget's future role, particularly in the legislative sphere, appeared attenuated and uncertain.

Yet scarcely two years later the Bureau was entrenched as the prime source of presidential staff work on the Administration's legislative program, its clearance tasks, especially at proposed and pending stages, more actively developed and more central to the President's concerns than ever in their history. Three things, mainly, lay behind this change: reappearance of the legislative process as the key government preoccupation; attrition or demise of other institutional staff facilities; and the personality of James E. Webb, Truman's new Director of the Budget.

The first Truman term, be it remembered, was a time of executive retrenchment, of climbing down from wartime peaks. The early Fair Deal blueprinted many a large-scale peacetime venture in administration, but save for atomic energy and foreign aid—and the short-lived emergency housing program—these remained largely on paper. For this was a time, also, of congressional stalemate in home affairs, and these new ventures needed legislation. Numerous issues of domestic policy confronting the regime were, therefore, first cast up

⁵⁴ A comment dating from the early spring of 1946, made by the then OWMR Director to a member of his staff and relayed by the latter to the writer.

⁵⁵ The Employment Act of 1946 was approved February 20, 1946. The Council did not begin to function until the following September.

in legislative guise, then frozen in that status by an unresponsive Congress.⁵⁶ The operating tasks, which in their magnitude had called forth OWM, were finished; nothing comparable took their place. Presidential messages to Congress became the central focus for policy-making; legislative drafts the major means for translating policy into coordinated action. With Congress formally in opposition after 1946, the object of the game—save in the foreign field—turned into record-building, pure and simple. But more than mere demands were needed in the record; for someday there might be response, if not from the current Congress, then the next. Serious proposals had to be specific; specifics meaningful—and viable.

This called for central staff work, continuous effort on a large scale. Where could it be obtained? The OWMR staff had been dispersed, abruptly, at the end of 1946; Steelman, its last Director, had returned to the White House in the new post of Assistant to the President.⁵⁷ The Economic Council was then untried, preoccupied, and short on staff, its product showing from the first the strains imposed by step-child status and divergent membership.⁵⁸ The White House Staff—the President's Assistant, Special Counsel, and the rest—could guide, review, and interject, but scarcely could engage in all the detailed and continuous endeavors these legislative tasks required.

This left only the Budget Bureau, or some new creation. And at the crucial moment the new Budget Director managed to reorient the Bureau's role anent the Truman White House, thereby giving the President the staff work he required.

By early 1947, Webb had become a principal adviser to the President, a full-fledged member of the Truman team. This built the Budget's entree and Webb made much of it, selling staff services as he sold himself. He broke precedent by making his subordinates freely available to White House aides, on their terms, for their purposes.⁵⁹ He cheerfully acceded to several full-time transfers

⁵⁶ For a survey of Truman's domestic legislative program and the character of congressional response, see Richard E. Neustadt, "Congress and the Fair Deal: A Legislative Balance Sheet," in the forthcoming Vol. 5 of *Public Policy*, eds. Carl J. Friedrich and J. Kenneth Galbraith (Cambridge, Mass.).

⁵⁷ OWMR was terminated by presidential action through Executive Order 9809 of December 17, 1946. Some of the factors leading to its demise are discussed in Somers, *op. cit.*, pp. 100–1. Steelman's principal lieutenants had planned to move the core of the whole organization to the White House with him, but they reckoned without his sensitivity to Cabinet and congressional resentment over late-coming, subordinate "empires" in the President's own office, especially after the 1946 election.

⁵⁸ Quite apart from the so-called "Nourse-Keyserling dispute," Budget, Treasury, and OWMR each had hoped and planned to assume the staff responsibilities ultimately conferred on the Council. Only the mutual jealousy of these three agencies stalemated executive opposition to the Council's creation. Their grievances did not yield, all at once, to the accomplished fact; and an uncertain performance on the first Economic Report did not enhance the Council's standing with its sister agencies, their heirs and assigns.

⁵⁹ The 1947 veto of Taft-Hartley, for example, was preceded by a special White House appraisal undertaken by the Special Counsel at the President's behest, with the full-time assistance of three Budget staff members whom Webb turned loose entirely, requiring from them neither consultation nor report.

of Budget staff to White House assistantships, thus building bridges which were bound to last.⁶⁰ Above all, Webb turned to his machinery for legislative clearance as a prime means of focussing staff efforts to help meet the President's needs. The clearance of proposals and reports had not been sensitive to congressional schedules; it was to become so. The emphasis of central clearance had been negative; it was to be made positive. It had interpreted policies and programs where it found them; it was to help create them. It had relied on Bureau staff resources; it was to draw, instead, on the expanding Executive Office as a whole.

Those were the goals Webb set for central clearance in Truman's time. To implement them he relied on a reconstituted Legislative Reference organization, now given status as a sort of institutional Executive Office secretariat for legislative policy development, formally within the Budget Bureau but serving, in effect, as back-up staff to Truman's Special Counsel, then chief White House officer in fields of forward policy.⁶¹ Webb did not delegate all responsibility, nor abdicate all interest, but as a practical matter, Legislative Reference's White House ties became both real and generally respected.

V. THE CHARACTER OF CLEARANCE IN TRUMAN'S TIME

All this involved great changes in the character of clearance at proposed and pending stages. After 1947, the Budget Bureau's war-encouraged passive attitude gave way, perforce, to much activity. A first step was the campaign begun early in 1948 to mesh these clearance actions with congressional requirements, and this despite the opposition character of the then Congress:

We had found in the immediate post-war years that there were a great many situations in which the . . . clearance process was an annoyance to the Congress and properly so. . . . Consequently . . . [in 1948] . . . Webb . . . specifically charged me with responsibility of talking with the staff directors and clerks of . . . major committees to see if our . . . process could be tied more closely into the committees' desires for the scheduling of items to come before them. On the other side of the coin, I was to acquaint the committees with the issues and items which . . . were being advanced in priority by the President, or . . . major departments. . . .

With the . . . cooperation of the Public Works Committees it was possible for us to work out . . . almost a precise schedule of what [they] wanted . . . and when . . . and . . . then go back and hasten our clearance process.

From the Public Works Committees this same kind of cooperative effort was extended to other . . . committees.⁶²

⁶⁰ A residual reflection of the then dependence on the Budget, which Webb so strongly aided and abetted in 1947-48, is found in the fact that in 1953 fully a third of the outgoing Truman assistants had come to the White House staff from the career service in the Budget Bureau.

⁶¹ F. J. Bailey retired as Assistant Director of the Budget for Legislative Reference after the first session of the 80th Congress in 1947. His place was taken by Elmer B. Staats; in 1949, Staats was succeeded by Roger W. Jones, the present incumbent.

⁶² Testimony of Roger W. Jones before the House Select Committee on Lobbying Activities, 81st Congress, 2nd sess. *Hearings Pursuant to H. Res. 298*, Part 10 (Washington, G.P.O., 1950). Note that the current version of Circular A-19 is printed with Jones' testimony.

Indeed, this operation steadily expanded; by 1950, the Budget was regularly and informally in touch with both majority and minority staffs of most major legislative committees, having by then a record of successful relations with committee chairmen of both parties.

In 1948, the Bureau also embarked on a wholly new approach to the coordinative aspects of its clearance tasks, subordinating negative protection of President and agencies to positive development and drafting of Administration measures. Executive Office "working teams" came into being with "leadership" assigned to the White House, Budget, or the Economic Council, as the case might be, while Legislative Reference served as secretariat and stimulator of them all. Each unit of the presidential staff contributed its experts and its points of view; all agencies concerned were called on to confer.⁶³ A high proportion of the Fair Deal's later measures were worked out in detailed form through this new application of "coordination;" for example, the Housing Act of 1949, and the Social Security Act Amendments of 1950.⁶⁴ On many lesser proposals, involving fewer agency and private interests, or interests lower in importance to the President, the Budget's Legislative Reference staff led similar excursions on its own, sometimes merely tinkering with agency submissions, sometimes redoing the whole drafting job around the conference table.

This new technique—new, anyway, as an adjunct of central clearance—developed alongside and, in part, grew out of efforts to provide fixed meaning, concrete form, and better advance planning for the President's own legislative program. Toward that end, White House and Budget legislative staffs worked in close combination, after 1947, developing relationships which lent both strength and informality to team play on particulars.

Coinciding with these various endeavors came an external change which gave the clearance system a new dimension and new opportunity. In 1947, congressional committees began to ask Budget for its views on pending bills, at the same time that requests for views were sent to the agencies. These so-called "direct referrals" were an 80th Congress innovation; a means whereby Republican committee chairmen could gauge the intentions of the Democratic Administration. Whatever the initial motive, the practice became increasingly popular with the committees in each succeeding Congress, regardless of party coloration. During the 80th Congress there were 370 of these direct referrals; during the 81st, 974; during the 82nd, 1,102. In the 83rd Congress, there were 889 for the first session alone. Of course, this volume has not stemmed equally from all committees of each House in every Congress. For example, since 1947

⁶³ After 1949, NSRB, ODM, and DMS staff, and occasionally NSC staff, were also drawn into or given leadership of such Executive Office teams.

⁶⁴ Of course, not all proposals were prepared in this way. For example, the so-called "Brannan Plan" was first set forth informally in the shape of "suggestions for study" put to congressional committees in testimony by the then Secretary of Agriculture. Truman's health insurance proposals were never translated into Administration-approved specifics; nor did the Administration ever commit itself to the details of bills introduced in Congress. As for revenue measures, their preparation, for the most part, was—and still is—dominated by the Treasury.

the Senate Labor and Welfare Committee has referred nearly all bills to the Budget; not so its House counterpart.⁶⁵ Variations have their roots in diverse compounds of committee composition, jurisdiction, clientele. But while they keep the practice less than universal, this has not altered one significant result: the Budget's growing opportunity to register a presidential view directly on a high proportion of the bills considered actively by both houses.

Moreover, since 1949 other direct channels have opened to the Bureau, further enhancing this opportunity. For example, during Truman's second term the Majority Leader of the House and the Democratic chairmen of several Senate and House committees—including the House Rules Committee—acquired the habit of checking with White House or Budget staff (sometimes both), by telephone or special note, for the current Administration stand on bills nearing the reporting stage.⁶⁶ Wherever addressed, these inquiries almost always passed through Budget hands; responses, however conveyed, afforded vital supplements to clearance actions and formal reports. While these particulars and others have altered since Eisenhower's accession, comparable avenues continue to link the clearance system not only with congressional committees but with the leadership as well.

Here are alternatives to the traditional approach of central clearance, wholly independent of agency action, and compensating for deficiencies in agency compliance, while naturally increasing the incentive to comply. Progressively, the Bureau has inclined to concentrate its energies upon its own responses and those it readies for White House staff use; these rather than agency reports become the key documents of clearance action at the pending stage. Of course, there have been instances—no doubt there will be more—where Budget's direct answers have reflected its own institutional concerns more nearly than the President's personal designs.⁶⁷ But Bureau advice via agency reports has been no less susceptible to such confusions. That problem is generic.

The new spirit of Truman's clearance system affected not only proposed and pending stages, but also operations on enrolled enactments. From 1947 on, the technique of the working team was frequently applied, with varying degrees

⁶⁵ Currently, the committees which engage most frequently in direct referrals are: Senate Interior, Labor, Public Works, Finance, Banking, Commerce, Civil Service, Government Operations; House Agriculture, Commerce, Merchant Marine, Public Works, Government Operations, Civil Service. Source: Office of Legislative Reference, Bureau of the Budget. Note that the early adherence of the Senate Labor Committee reflects Senator Taft's own view of the need for a formal channel between President and committees on current measures.

⁶⁶ Also in 1949, the Senate Majority Leader arranged to have the Budget report to him the number of each bill cleared and the nature of the clearance given, week by week. These data were then tabulated by his staff for ready reference to Administration stands on the general run of pending bills. So routinized a transmittal of so much information proved of limited utility. After 1950, the practice was curtailed.

⁶⁷ A classic example is provided by Budget reports to the Senate Labor Committee on S. 614, the Hospital Construction Act Amendments of 1949. For details see Budget Bureau central files; Enacted Legislation, 81st Congress, *Hospital Construction*, R6-15/48.3.

of informality, to staff evaluation of the major measures passed by Congress and to preparation for the President's own action, especially where vetoes were involved. From time to time, this teamwork at the enrolled stage proved useful in the development of new proposals: alternatives to measures vetoed and additions to bills signed with reservations.⁶⁸ In this respect, a positive note was injected into the review of enrolled bills, equivalent in purpose, if not scale, to the new ventures in coordination of proposals and reports.

In Truman's time, work on enrolled enactments came to contribute in another way to policy development. On certain classes of enactments, the President found it possible to make consistency in signature or veto a potent instrument for setting and enforcing general policies. On veterans benefits, his vetoes drew and held a general line; on private immigration bills, his signatures held one last entryway wide open. These things were done despite unceasing protest from affected agencies, a testimonial not only to the President's determination, but to the Budget's constancy in finding counter-arguments to justify his action.

From 1947 to 1950, central clearance progressed vigorously in these various directions. New Budget circulars, while adding nothing to the substance of the old, provided literary—and official—recognition of the changed pace and emphasis.⁶⁹ Then in June, 1950 came Korea, and in November, full-scale Chinese intervention. Thereafter, throughout Truman's last two years, the Administration's crucial policy preoccupations were operational, no less than congressional, the legislative focus narrowing, meanwhile, from Fair Deal to defense.

Partial mobilization and limited war had an immediate impact on clearance operations, though the effect was less decisive than in the all-out conflict nine years earlier. During 1951 and 1952, central clearance did not lose its mandate, nor greatly shift its goals; it simply ceased to grow, mirroring thereby the "half-way" character of changes in the governmental climate. With the new Office of Defense Mobilization—nearest equivalent of the old OWMR—the Budget Bureau managed peaceful collaboration in the legislative field, easily adapting pre-existing patterns to the special case of economic controls. Here, by common consent, ODM took the Executive Office "lead," organizing and directing efforts to develop an Administration product, serving thereby as acknowledged "agent" of the central clearance system, and utilizing Budget clearance channels to fortify its interagency coordination.⁷⁰

⁶⁸ See, for example, Truman's message to Congress, July 13, 1951, announcing the signature of S. 984, a bill to aid recruitment of Mexican migrant workers, of which the President remarked: "I could not have given my approval had I not been assured . . . that supplementary [measures] would receive prompt attention." Truman then recommended a three-point supplementing program, produced by a staff team after the bill's passage.

⁶⁹ See note 4.

⁷⁰ The Office of Defense Mobilization was established by Executive Order 10193 on December 15, 1950 within the Executive Office of the President, to exercise direction and control over all aspects of the post-Korean mobilization program. ODM received permanent status through Reorganization Plan 2 of 1953, absorbing the war mobilization planning functions of the National Security Resources Board under the National Security Act of 1947.

Aside from "defense production," only "mutual security"—consolidated, defense-packaging of foreign aid—emerged in Truman's final years as a major, new legislative venture requiring sustained developmental staff work. And here the Bureau worked out arrangements with the Director for Mutual Security similar to those established with ODM. The Harriman Office took the lead, while Budget staff manipulated clearance channels on its behalf.⁷¹ Otherwise, the Budget's clearance system carried on much as before, though with less emphasis on positive coordination, because there was less presidential need; relying heavily, by way of substitute, upon the store of plans worked out and positions clarified in pre-Korean years. The patterns of staff action and relationship which had emerged by 1950 were, in the main, consolidated during 1951 and 1952. But there was little new adventuring in the high policy arena.

Korea and its consequences were not the only factors responsible for this; there was, as well, the President's acute awareness that the presidency would soon change hands. In 1951, Truman appointed as Budget Director a top Bureau careerist, Frederick J. Lawton, charging him specifically, though not publicly, to batten down the institution, readying it for the transition ahead.⁷² There was to be no more expansion in politically-charged directions. The Bureau's reputation for "non-political" expertise, its institutional respectability, were to be guarded at all costs, thereby preserving its utility to the next President.⁷³

VI. THE FIRST YEAR UNDER EISENHOWER

On January 20, 1953, the new President took office, his inauguration marking the first complete party turnover in twenty years. Superficially, this had a sweeping impact throughout the government. But paradoxically, perhaps, the Budget clearance system was affected less this time than in the previous transition years of 1945 and 1933; reasserting, not in years but in months, its old role in the new regime.

Why did this occur, and how? Why not the fall into drawn-out obscurity, the slow revival, that characterized both previous occasions? There seem to be three reasons: some relatively careful pre-inauguration planning on both sides; some vital accidents of personal relationship; and, underlying everything, a very real continuum in the outlook for government.

⁷¹ In June, 1950, Averell Harriman was appointed Special Assistant to the President to coordinate various overseas affairs. Under the Mutual Security Act of 1951, his post was transformed into an Office of the Director for Mutual Security (DMS), within the Executive Office of the President. DMS was abolished by Reorganization Plan 7 of 1953 and its functions transferred to the Foreign Operations Administration.

⁷² Lawton had been a senior Bureau official since 1935, number-three man under Webb, number-two man under Webb's successor, Frank Pace, Jr. He is serving presently as a member of the Civil Service Commission.

⁷³ It is an interesting sidelight on the longevity of Truman's concern for a smooth transition that a number of the preparatory actions Lawton took, both before and after the 1952 election, corresponded with arrangements planned by Webb on a "contingent" basis during the summer of 1948.

In November, 1952, immediately after Eisenhower's election, Truman took a number of specific steps toward the goal of orderly transition, among them an invitation to the President-elect to have his representative participate as an observer in final preparation of the forthcoming (Truman) budget. During the nine weeks before inauguration, Eisenhower's Budget Director-designate, Joseph M. Dodge, worked full time in the Budget Bureau, conducting himself with great discretion, watching the staff at work, learning their problems and routines, winning their confidence as they gained his respect.⁷⁴

Once installed in office, Dodge emerged as a strong member of the new inner circle. His influence, the value of his services, and his ability to act were enhanced, no doubt, by his acceptance, hence effective leadership, of the established staff at his disposal. This set the stage for firm and confident assertion of Budget Bureau functions in the new regime, central clearance no less than the rest. Even before Inauguration Day, most of the Cabinet members-designate were called into the Bureau for Dodge-sponsored indoctrination lectures on its prerogatives and their responsibilities. Clearance regulations received attention at that time. And after the inaugural, Dodge made a point of picking up initial failures to comply, taking a strong line with department heads, reminiscent of Lord's language thirty years before.

The new Budget Director did one thing more for central clearance: to his hold-over chief of Legislative Reference he gave the backing of his own unqualified endorsement, and a total delegation of authority surpassing anything experienced in Truman's time. Between these two men, Dodge and Jones, evolved a personal relationship of greatest moment for clearance's survival. Dodge used his own prestige unsparingly to break a path for Jones into the Eisenhower White House, overcoming tendencies to treat careerists with extreme reserve. He then cut Legislative Reference entirely loose to seek its lead from presidential staff, thus extending under Eisenhower an innovation Webb had introduced in Truman's first term.

It was one thing to open an acquaintance between White House and Legislative Reference; quite another to establish adequate patterns of staff interaction. The Budget's clearance operations were dependent, now more than ever, on guidance from the President and access to him, by and through his White House aides. All the well-worn Truman channels were erased; they had to be rebuilt from scratch around another President, new aides, new methods. That this was done in less than six month's time, as *Fortune* attests, is tribute partly to the sheer inescapability of so much of the matter grinding through the clearance

⁷⁴ Dodge was not precisely a newcomer to government, having organized War Department renegotiation activities in World War II and having carried out significant overseas assignments for the occupation authorities of both Germany and Japan. His attitude toward his new role was very healthy for the institution he would head, fairly free of the suspicion and uncertainty which plagued so many Eisenhower appointees and their career subordinates. Dodge resigned as Budget Director, April 15, 1954, and was succeeded by his deputy, Rowland Hughes. For information on this and other aspects of the 1953 transition, the writer is indebted to the many officials throughout the Executive Office who have answered his inquiries with candor and good will.

mill. And partly it is tribute to the personality equation, once again: to Jones' success in working with the three key legislative policy officials in Eisenhower's entourage—Adams, Persons, and Shanley.⁷⁵

Reinforcing these relationships were some deep strains of continuity in government's most basic problems. Only on the surface was transition sharp and sudden. There was neither 1945's dramatic plunge from total war to general peace, nor 1933's wholesale experimenting with new rules for the governmental game. True, by 1953 the emergency impacts of Korea were diminishing, economically, psychologically, militarily. The cold war was entering a new phase, the atomic arms race a new dimension, the American economy a new adjustment. But these remained the underlying problems, whatever their changed aspects, with the new President, no less than the old, pledged to collective security and full employment as goals of governmental action. And as the operating crisis faded, policy-making tended to resume its pre-Korean cast.

The new regime brought many alterations of detail, quick shifts of attitude, emphasis, approach, which in the longer course of time may prove profound. But in 1953, at least, the real conditions and commitments—and dilemmas—overhanging from the past left little room for sweeping change, save on the planes of people and "psychology." Particularly was this the case for a regime so "new" as Eisenhower's. The President was new to national politics and civil government, his Cabinet members mostly newer still, his congressional colleagues wholly unused to a Republican Executive. His campaign for election had been influenced by concepts and illusions bred of opposition; some basic a-b-c's had to be learned anew.

Combined with this inexperience, the continuity of problems confronted the new White House with two needs, sharply felt: the need for facts about the past to help project decisions for the future, and the need for caution in commitments until homework had been done. The Budget clearance system proved a handy instrument in both instances. Once the ice was broken, the White House staff, however much mistrusting bureaucrats in general—holdovers schooled for twenty years in Democratic policies—could turn to Budget's, in particular, to tap resources of careerist expertise through clearance channels everywhere in government.⁷⁶ Simultaneously, the White House could obtain

⁷⁵ Under Eisenhower, Sherman Adams, the Assistant to the President, has a formal, though not always operative, role in the coordination and direction of all White House staff undertakings. Wilton B. Persons, now Adams' deputy, had major responsibility for congressional liaison during Eisenhower's first year and is still heavily involved in legislative affairs. Bernard Shanley, Special Counsel to the President, acquired during 1953 a good share of his predecessors' tasks in policy development, especially on the legislative side, resuming, among other things, the Counsel's old role as regular channel between Budget and President on enrolled enactments and other clearance actions.

⁷⁶ The legislative clearance system was not, of course, the only means employed. The National Security Council Staff—especially the old Senior Staff reconstituted as the Planning Board—contributed importantly in some major areas. Certain of the presidential and agency study groups, among the many operating in 1953, helped also to build effective links between the new regime and its inherited experts; notably in the government organization, psychological warfare, social security, and housing fields.

from central clearance a series of continuing protections for presidential freedom to withhold decision. The congressional session of 1953 was a time for ducking and dodging on a wide range of legislative issues, while study groups studied and administrators felt their way.⁷⁷ As legislative clearance had once helped protect FDR's own choice of action, it now helped safeguard Eisenhower's choices of inaction.

The gathering of background facts, the sidestepping of new commitments, were the services commending central clearance to the White House staff in early 1953; initially the clearance system's *raison d'être* in the new regime. The fact that budget-cutting was one measure *not* deferred that year, soon gave the system added opportunities for service, harking back to purposes three decades old. And when, in August, 1953, the Eisenhower White House faced its first end-of-session flood of enrolled bills, its dependence on Budget aid—and Budget staff's dependability—was demonstrated forcefully, with due effect.

Thus, by midsummer, 1953, it was quite evident that legislative clearance would survive, remaining a close institutional adjunct of the White House staff, retaining a real role in the presidential orbit. But what kind of role, of what significance? The scope and character of Truman's clearance system evolved out of the drive to build a comprehensive legislative program, buttressed by specific measures bearing an Administration label. Nothing of the sort occurred while Congress was in session during 1953. And though the Truman forms remained, the substance of the clearance job, that session, bore less resemblance to postwar operations than to the narrower, more limited approach of Roosevelt's early years—or even, in some aspects, Coolidge's. "The key to this whole operation," remarked a Budget aide, "is whether Ike decides to have a legislative program. We can't interpret, much less help develop, something that isn't there."

In the event, that decision was emphatically affirmative, as demonstrated by the stream of presidential messages when Congress reconvened in January, 1954, and by the prompt introduction of Administration bills to carry out most Eisenhower proposals.⁷⁸ Thereby central clearance gained the last element required for a new start on its postwar course.

This did not bring full restoration of all Truman methods; naturally, there

⁷⁷ Note that Eisenhower's inaugural marked the first change of party in the executive under the so-called "Lame Duck" Amendment; the new President was inaugurated only ten weeks after his election; the new Congress was in regular session two weeks before Inauguration Day.

⁷⁸ It has been the custom during 1954 for the White House to disavow Administration "sponsorship" of measures introduced by committee chairmen or other senior members after congressional receipt of presidential recommendations. But in the great majority of cases, as almost any *New York Times* account will show, these bills actually represent departmental drafts, conveyed with the Administration's blessing to competent authorities in Congress. This is the same route previously taken by most Truman "must" measures, which seldom traveled straight from White House to Congress. In all such cases, denials of Administration sponsorship are merely exercises in semantics, sometimes accepted at face value by the press, rarely, if ever, by congressmen, though giving all concerned a useful "out" for future reference.

have been adaptations as to ways and means. However, most of the changes made in 1953 and early 1954 relate to a phenomenon which may prove transitory: the imperfect acquaintance, trust, relationship between the new principals and old staffs. No two departments are alike in this, but its effects are widespread still. Hence, much of the informal, day-by-day coordination once carried on through departmental bureaucrats is being handled by the Budget now—no less informally—through “little cabinet” officers or department heads themselves. Much of the developmental effort on main measures, once farmed out to staff-level working teams, now turns on full-dress departmental presentations to the Cabinet, dry-run for White House and Budget staffs well in advance; with essentials of agreement at the Cabinet table providing, then, the base for formal interagency accord through clearance channels. Even where something like a “Truman” working team has been employed—as with Taft-Hartley changes, for example—its membership has comprised principals rather than staff, save at the White House level.

It is too soon, of course, to be definitive about the Eisenhower pattern. As this is written—in the spring of 1954—many things remain unsettled and unsure. To cite just one example, there has not been, so far, a single Eisenhower veto of the disciplinary, attention-calling kind which lent its sting to clearances in Roosevelt’s time and Truman’s.⁷⁹ But if one thing is certain, it is this: the pre-existing patterns show a hardy tendency to reassert themselves in Eisenhower’s present circumstances.

VII. THE CIRCUMSTANCES OF SURVIVAL

For more than thirty years now, central clearance has persisted, its history marked by a long series of “accidental,” unforeseen accretions. Nothing once absorbed has been wholly displaced; each new element somehow encompasses the old. There have been periods of relative stability, if not stagnation; times of obscurity, even decline. But overall, here is a record of great growth, successful adaptation—this under six successive Presidents, through every variation in national and governmental circumstances since Harding’s term of office.

What contributes to this continuity? What explains this institutional survival and advance, particularly in the years since F.D.R. cut clearance loose from its “financial” moorings? There is no answer in the statute books; no law prescribes this system. There is no guide in partisan commitments; one finds no platform planks or campaign speeches, pro or con. As for old presidential orders on the subject, the signatures of Roosevelt, Truman, Smith, and Webb are not, *per se*, coin of the realm today. The explanation lies in many things, but in these least of all.

Part of the answer can be drawn directly from events recorded in this paper. Note the impact of personalities, among them Roosevelt himself, Webb, Dodge, Bailey, Jones. Their interactions helped to mold—and to sustain—the modern clearance system. Note also the close correspondence of that system’s varied

⁷⁹ This is not to say that the President subscribes to a Whig theory of the veto power. Staff aides contend otherwise and the evidence is not yet in.

fortunes, since 1933, to shifting presidential policy preoccupations in an era of "big government," successive national emergencies, and changeable White House political prestige. It is not sheer happenstance that central clearance was but temporarily obscured by operational crises in depression and war; or that its greatest institutional expansions followed the political events of 1938 and 1946; or that its postwar growth, while checked by the Korean outbreak, seems to be resuming in Korea's aftermath, despite the change of Administration.

Note, finally, the clearance system's formal locale in the Budget Bureau, a fact of real significance for continuity and for survival. Here is the oldest, toughest organism in the presidential orbit. The making of the budget is still the prime general-purpose, decision-and-action-forcing process yet institutionalized in the executive. The budget process, as it stands, is so firmly a fact of governmental life, so thoroughly assimilated in legislative and administrative practice and expectation, that its continuation goes unquestioned; its institutional embodiment, "The Budget," commanding everywhere a healthy measure of respect, if not always regard. Perhaps, as students now are fond of pointing out, the Bureau is by no means the ideal locale—not, anyway, in theory—for policy staff work on the substantive side.⁸⁰ And yet, in practice, nothing is so vulnerable as the high policy performer dangling loose, a ready target and potential sacrifice at every turn in presidential circumstance (e.g., NEC, OWMR). The more immediate the clearance system's policy involvement, the more advantageous, at least for survival, its impersonal exterior, its undescriptive designation, its "budgetary" context.

Theoretically, perhaps, the combination of effective personal relationships, continuing White House requirements, and stable staff resources should suffice to explain survival of a presidential mechanism aimed at administrative agencies. So might it be, were Presidents, in fact, "administrators" of some neatly unified executive. But they are not; instead, the White House looks out on:

... a protean agglomeration of feudalities that overlap and crisscross in an almost continual succession of changes. Some of the lines of control . . . terminate in the Presidency, some in . . . the legislature and some . . . 'outside' the government; a few lie in the hands of 'subordinate' executives; many more involve all of these in collegial arrangements so informal as to be but dimly recognized even by the chief participants.⁸¹

This is the context in which "central" clearance actually operates; its very terminology a contradiction of the feudal order. How then does it survive?

It lasts because most of the wielders of real power in this wilderness find in it net advantage to themselves. Of course, the agency secure in a strong "horizontal" power complex—buttressed by potent clientele and purposeful con-

⁸⁰ For examples, see Somers, *op. cit.*, pp. 213 ff., Norton Long, "Popular Support for Economic Programs," this REVIEW, Vol. 42, pp. 326-36 (April, 1948); Arthur Maass, "In Accord with the Program of the President?" in *Public Policy*, eds. Carl J. Friedrich and J. Kenneth Galbraith (Cambridge, Mass., 1953), Vol. 4, pp. 77-93.

⁸¹ David B. Truman, *The Governmental Process* (New York, 1951), pp. 437-38.

gressional committees—may have but little tolerance for clearance of its pet proposals. But every agency is not a Corps of Engineers; few, if any, are so “favorably” situated all the time. Most measures of most agencies face an uncertain future in the legislative process. Whatever clearance brings by way of support, even acquiescence, from President and Budget Bureau, from other agencies and, implicitly, their clientele, may help to reduce hazards, strengthen prospects in the Congress. Of course, advance accommodation is the purchase price. Whether to pay or not to pay involves a complex, variable estimate of cost and return, power and position, which bureaucrats must calculate afresh in every case. This does not produce absolute adherence to either the form or the spirit of clearance regulations; it does, at least, give most agency officials a real, long-term stake in the system’s survival. And that is reinforced, for every agency, by virtue of the chances clearance brings to sit in judgment on the other fellow’s viewpoints and designs.

As for senators and congressmen, they may show small concern for clearance niceties when potent sponsors or committees seize hold of an issue strongly backed by tough and vocal interests stimulating wide support. One thinks of Taft-Hartley, for example, or the McCarran Acts, or the Bricker Amendment. But Congress moves, perforce, on many measures of a very different character: on those the President stakes out for his own, and on a host of others which are neither “musts” for Presidents nor irresistibly appealing to members *en masse*. On the bulk of this business, overburdened legislators, in committee and out, need a handy criterion for choice of measures to take up, especially when faced with technical alternatives in which they have but little vested interest. They need, as well, an inkling of Administration attitude toward the outcome: how much, if at all, does the President care? What will he stand for when the bill comes down? What will he do thereafter, by way of budgetary follow-through? And save when they themselves choose otherwise, congressional committees need some measure of defense against time-wasting or discreditable cat-and-dog fights on their premises among the agencies concerned in pending bills. These services the clearance system can provide; that Congress wants them as a matter of practical self-interest is demonstrated by committee and leadership initiation of the direct referrals and other links to Budget now so integral a part of clearance operations.⁸²

Naturally congressmen, like bureaucrats, incline to weigh the relative advantages of heeding or ignoring clearance actions, case by case. Particular results have varied greatly from issue to issue, from committee to committee,

⁸² Another service merits passing mention: favorable clearance gives a sponsor opportunities to wrap his project in the “presidential” mantle; unfavorable clearance lets him rise to defend Congress and the public interest—and his bill—against executive blundering or “interference.” Each tactic has its uses in the legislative struggle; each may bring members and their measures within reach of the publicity inherent in the presidential office. For a recent illustration, see the press treatment of sponsors’ complaints against an apparently adverse Budget report on several House bills depriving Alger Hiss of retirement benefits. *New York Times*, June 23–25, 1954.

and even among personalities and between the Houses. But there can be few members who have not found some clearance actions to their taste, few legislative leaders or committee chairmen who have not seen some disregarded clearance warning rise to haunt them in a veto message or a bobtailed budget. Again, this does not make for uniform responses to the terms of clearance; it is productive, though, of genuine concern for the system's survival.

For all these reasons, the "feudalities" at both ends of the Avenue have found that it pays to tolerate the clearance system. They have, indeed, found it quite possible to do so without yielding to the President their underlying freedom to maneuver. Yet simultaneously the President, while also husbanding his liberty to move, has found in clearance means to make these gentry heedful of his powers when they exercise their own. The vitality of central clearance lies in the fact that it can satisfy, at once, both these conditions. The President, as he may choose, gains ample opportunities to make known his desires. But Congress and the agencies are not compelled to notice. And he, meanwhile, retains the right to alter course, or change his mind. The voice that speaks is not the President's; it is the Budget Bureau's. And when need be, the Budget serves as whipping-boy.

This is a neat arrangement; it helps preserve the enterprise. But it can do that only so long as the distinction remains more fiction than fact. Were there to be a demonstration, generally and over time, that Budget really spoke not for the President but for itself alone, then the whole game would lose its point and the participants soon cease to play. Here one is brought to a new set of questions: What is the "program of the President" that Budget claims to interpret in clearance actions? Does such a thing exist and if so how is it constructed, and by whom? These questions lie outside the scope of this paper, but they can serve, perhaps, as curtain-raisers for another study.

A PRESSURE GROUP AND THE PRESSURED: A CASE REPORT*

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The organized interest group does not make the laws of the land. It must devise means for gaining access to and influencing those who are constitutionally empowered to make, administer, or otherwise define the law. This study deals with the efforts of one organized group, the Associated Industries of Vermont, to secure its objectives in the 1951 session of the Vermont legislature. The study is correlatively concerned with the legislator's view of the AIV activities and, more broadly, of the legislative process.

I. THE PRESSURE GROUP

The Associated Industries of Vermont is a "peak" association; an organized business group which acts as spokesman for many diverse business interests in the state. The membership, which ranges from small manufacturers to the National Life Insurance Company, totaled some 450 concerns in 1951, the year in which the events to be described took place. Membership is by individuals, firms, and a few trade associations. Included were almost all the textile, the granite and marble, and the machine-tool companies in the state—representing three of the state's important industries. A rough estimate of the total payroll of the member concerns was about half of the total payroll of the state. A few retailing and other non-manufacturing members had recently been added.

This study does not attempt to deal with all the events of the 1951 session, nor even with the myriad ways in which business opinion in Vermont gained or failed to gain acceptance on a range of issues. It is concerned primarily with the overall strategy of the staff of the Associated Industries to gain access to the legislature, and with the specific tactics used by the AIV.

Access to the Vermont legislature is always difficult for the Associated Industries. No matter what the nature of the issues, the AIV is certain to face a legislature more sympathetic to the Farm Bureau than to a business group. Since each township in the state, irrespective of population, is entitled to one representative in the 246-member lower house, the natural preoccupations of the state with agricultural problems are further magnified in the legislature. Although 30.5% of the population live in towns of 5,000 or more, only 5.3% of the members of the lower house represent towns of that size. More than half of the AIV's membership in 1951 were located in towns of more than 5,000

* The research, of which this article is one report, was assisted by grants to Bennington College from the Carnegie Corporation of New York and the Rockefeller Foundation.

population, which means, of course, that access to legislators through AIV-member-constituents was singularly limited.¹

Despite these characteristics of the state and the legislature, which continually handicap the Associated Industries in attempts to gain access to the legislators, AIV appeared to be in a strong position when the 1951 session opened. Although it could not appeal to the mass of legislators, the formal leadership of both houses was decidedly receptive to consideration of the AIV point of view. In fact, the formal leaders of the houses were themselves key figures in the formation of the AIV point of view. The Lieutenant-Governor and President of the Senate, Joseph Johnson, was at that time on the Executive Committee of the AIV. He had been a vice-president of the Association, a member of the 1949 AIV Legislative Committee, and had been under consideration for the presidency of the Association until his election as Lieutenant-Governor. In private life he had been vice-president of a large machine-tool company. The Speaker of the House, Wallace M. Fay, was a director and a member of the Executive Committee of AIV. He, too, had been a member of the 1949 AIV Legislative Committee. Fay was vice-president of the Vermont Marble Company. The President Pro Tem of the Senate, and chairman of the Senate Rules Committee, Merrill Harris, who was president of one insurance company and a director of another, was also at that time a director of the AIV.

The chairmen of the standing committees in the legislature are not designated by virtue of seniority. They are appointed by the Speaker or by the President of the Senate. The AIV was directly influential in the appointments of chairmen and members of the committees considered of probable concern to the business group. The chairman of the House Commerce and Labor Committee, Walter Malmquist, president of a wood products company, had been a member of the 1949 AIV Legislative Committee together with Fay and Johnson. The chairman of the House Social Security Committee, while not a member of the Association, was appointed on the recommendation of Theodore Kane, the Executive Vice-President and manager of the AIV. The two other AIV members of the legislature were appointed chairman of the Senate Finance Committee and chairman of the Senate Commerce and Labor Committee, respectively. However, these two, although members of the AIV, were not as active as Fay, Johnson, Harris, and Malmquist, all of whom had held or were holding positions of responsibility in the formal organization of the group.

The AIV also had reason to suppose that the newly-elected governor, Lee Emerson, would have a readier ear for its opinions than had Governor Ernest Gibson. Although both governors were, inevitably, Republicans, this meant less than the fact that Gibson was associated with one faction of the Republican party in the state, and Emerson was allied with the opposing faction.

The development of the factional split in the Republican party is a major

¹ As far as the party division in the legislature is concerned, it should be sufficient to say that the Democrats counted among their members 21 representatives (8.5%) and one senator. On all matters, including that of organization of the House and Senate, a Democrat in the Vermont legislature is indistinguishable by his voting behavior from a Republican.

part of the story of the progress of the 1951 session, and is tied in some measure to an understanding of the role of the Proctor family in Vermont politics. This role reaches back to 1878 when Redfield Proctor started on an active political career, serving as governor in 1878, as Secretary of War under Benjamin Harrison, and in 1902 as United States Senator. During this period, the Vermont Marble Company, owned by the Proctor family, became the largest single company in the state. The Proctor family continued throughout the years to take an active interest in the politics of the state; and although the process of gaining office is certainly not a simple one, the history of the Proctors would seem to substantiate the folk tale that as soon as a Proctor reached the proper age he was elected governor of the state. Between 1878, when Redfield Proctor was elected governor, and 1944, when Mortimer Proctor became governor, three other members of the Proctor family served in that position. The Proctors were not and are not today political "bosses" of the state. Although the family might almost be viewed as a fixed pole in Vermont politics, it is fixed not in terms of ideology but in terms of repeatedly occupying an influential position in the political power structure of the state.

Until the middle 1930's, knowledgeable informants agree, there was no serious or lasting cleavage in the Republican party of an ideological nature. But in 1934 appeared the first glimmer of a split which could be viewed as other than over personalities. In that election the Farm Bureau moved toward a formal endorsement of candidates in the primaries, and successfully backed Charles Smith for the governorship. In 1936 George Aiken was elected governor, again with the support of the Farm Bureau, which also supported his successful campaign for re-election in 1938. In these campaigns, the Farm Bureau in effect opposed Proctor candidates. During the war years Vermont politics quieted down, and Mortimer Proctor was elected in 1944, fully expecting re-election in 1946 for the traditional two terms of office. But in 1946 Ernest Gibson returned from the war and upset the proprieties by defeating Proctor in the primary and gaining the governorship, with the public endorsement of the Farm Bureau.

Gibson's election provoked a split in the Republican party of a type and meaning which remain somewhat enigmatic. Part of his opposition was made up of those who were irritated at the violation of the second term tradition, which would have given Mortimer Proctor a second term in office. To some observers, the split is a "liberal-conservative" one, with Gibson as a "New Deal kind of Republican" opposing the "Old Guard." Yet his program and policies in his two terms of office centered around major points which it would be hard to view as the foundations for a deep ideological cleavage. Gibson opposed the construction of a dam on the Connecticut River on the grounds that it would flood good farm land. This endeared him to the Farm Bureau and solidified the Aiken-Farm Bureau-Gibson combination. It also evoked murmurs of discontent from the private utility companies. The utilities were further in-

censed when in 1949 Gibson proposed to establish a Vermont Power Authority to negotiate for and distribute electric power produced by the St. Lawrence Seaway developments, if and when such developments occurred. The Farm Bureau backed Gibson fervently on this proposal which was, however, defeated. For Senator Aiken this was one facet of his participation in the struggle for federal endorsement of the Seaway. In Vermont, Gibson's proposal brought cries of "socialism" and established him as something of a radical. Other programs included a Department of Health to administer mobile health units, and a State Police system to augment the local sheriffs. He pressed for additional construction of state institutions, projects which had been ignored during the war years. He created a Development Commission to encourage industrial expansion in the state, to attract new business to the area, and thus to stem the steady outflow of Vermont's younger generation. These policies were viewed by many as radical and involving a wanton expenditure of money. They were acclaimed by others as "progressive" and as sensible investments in the state's health. When, in 1949, Gibson resigned from the governorship to accept a Truman appointment to the federal district court, many felt that the accusations of radicalism were vindicated.

The 1950 campaign was a complicated affair, with candidates for the Republican primaries announcing first for one office and then another in a whirl of indecision. When the merry-go-round slowed down there were three candidates for the Republican nomination for governor. One of them, Peter Bove, was generally regarded as "a Gibson man," but without as broad a backing as Gibson himself had had. The second, J. Harold Stacy, although he had been Gibson's Speaker of the House in the 1949 session, was considered to be nobody's man and a middle-of-the-roader, whatever that might mean in the low temperature politics of the state. Lee Emerson, the third and successful candidate, had been Lieutenant-Governor in Mortimer Proctor's term as governor, although this did not necessarily mean that he was "Proctor's man." The Proctors, in fact, did not appear to take much interest in the 1950 campaign until the last two or three weeks, when, it is often reported, they decided upon Emerson as the least of three evils and it became generally known that he had their backing.

The Associated Industries scrupulously refrained from taking any part in the 1950 campaign. Although the AIV had no direct connection with Governor Emerson, the links were there, and the campaign situation did nothing to weaken the possibility of cooperative relationships between governor, legislative officers, and the business group. At the very least, it was clear that the new governor could expect little support from former Gibson associates. As the new administration began and the legislature convened, the AIV made the explicit assumption that the official climate of opinion in the state government would be more congenial than in recent years and its own problems of effective access much simpler and more direct.

II. THE 1951 LEGISLATIVE SESSION²

The AIV did not concern itself actively with the full range of issues in the 1951 session. Rather, the staff focussed a major portion of its energy on one bill, the proposal of the labor groups to include certain occupational diseases under the Workman's Compensation Act. Theodore Kane, Executive Vice-President of the AIV (and for all practical purposes "the staff"), told the Association's members that this was "the most important legislation affecting industry to come before the 1951 session."

The development of this issue in the 1951 session is a not unrepresentative example of a process of inter-group negotiation characteristic of state legislatures when dealing with issues of something less than first-rank drama and political potential. The nature of such negotiations among interests is often assumed to be characteristically one of mutual hostility. Rather than assuming the legislature to be subject to a barrage of independent and divergent pressures, it may be closer to reality to conceive of a pattern, shifting through time, of alliances of interests which engage in negotiations and compromise outside the legislature. The rather picturesque comment of one member of the Vermont House is suggestive. Commenting on the AIV-labor negotiations on the occupational disease bill, he said that there were too many bills to keep track of in the session, and "if it is satisfactory to them you figure you're not cutting anybody's gut." The example of the occupational disease bill is also a cogent illustration of the role such group negotiations play in broadening access to the legislature for one group or another. The labor groups in Vermont had, with the exception of three or four friendly legislators, little or no opportunity for gaining access *except* through the AIV.

The occupational disease bill story begins in 1947 when the granite workers, concerned about silicosis, sought to have it covered under Workman's Compensation. Procedure followed the pattern prescribed for most legislative proposals of even ordinarily controversial nature: a temporary committee was set up which recommended further study by a five-man commission. The commission was established and reported to the 1949 session, presenting a majority report and a minority report. The AIV, although it preferred the majority report if forced to make a choice, offered still a third course; and the labor groups, although they preferred the minority report if forced to make a choice, came up with a fourth proposal. All four of these proposals reached the floor. The Vermont House normally consists of more than 50% "first-termers" who are unaccustomed for the most part to legislative routine and are traditionally prone to vote "no" on everything when confronted by confusion of amendments, substitutions, and other such sophisticated parliamentary practices. Acting in true form, the 1949 House defeated the majority bill, the minority bill, and labor's proposed substitutions, and passed the AIV's suggestion, which was to

² Much of the material presented in this section is based on reports of participant observers who were employed in the offices of the Associated Industries and the Vermont Farm Bureau during the 1951 legislative session.

authorize the establishment of a Division of Industrial Hygiene in the Department of Health whose function it would be to recommend better methods for preventing occupational diseases.

For the time being, this was doing nothing about workman's compensation. However, the granite industry and the AIV, and most especially Mr. Kane, were well aware of the fact that the labor groups would make another try in the 1951 session. Despite the conservative drift of opinion in state and nation, and the exceptional access to the legislature enjoyed by AIV in 1951, it was never concluded by Mr. Kane that business interests could call the tune, even with relation to labor. This, be it noted, was not because labor was strong, but because business interests remained essentially weak. Farm leaders were characteristically Bull Moose progressive on business issues, disliked bankers for the record, distrusted big business and Wall Street to notable political advantage. Vermont legislative policy had, on a number of issues, been liberal to an exceptional degree, considering the conduct of some of the neighboring states and the very limited per capita wealth of the state. Business endorsement of a policy was considered, in the AIV office, a surety of defeat. This gloomy assessment may well have been an exaggerated projection of the 1930's, but it significantly conditioned the course of the negotiations. Since it was judged doubtful that an occupational disease law could be postponed indefinitely, the better strategy seemed to be for industry itself to take the initiative, present its own bill, and start any negotiations in an offensive rather than defensive position. Although it is not possible to place responsibility for this decision, it is more likely that it was Kane's rather than that of the Barre Granite Association, many of whose members were opposed to the passage of any bill.³

In December, just prior to the opening of the 1951 session, a meeting of minds was achieved between the leading members of the Granite Association and Kane, and a bill was drawn up. This bill resembled in its essence the majority bill of 1949, although the form was greatly simplified, especially by the omission of the innumerable "except as hereinafter otherwise provided" clauses to which the minority report had strenuously objected. The bill was taken to the Governor by the AIV and all seemed to be well. Two days later word came from Emerson that there were objections to the proposed bill. Kane would have to reach agreement with labor or there would be trouble in the legislature, trouble in the form of opposition on the floor by one or another of the handful of legislators friendly to labor. Such objections threatened a repetition of the events of the 1949 session, where the confusion of disagreement on the floor led almost inevitably to legislative disapproval.

The course followed by Kane to secure agreement was to set in motion a series of sessions with the CIO, or as some legislators termed it, "a horse trade." The AIV had planned to introduce in this session three bills aimed at tightening the qualifications for workers claiming benefits under the Unemployment Com-

³ The Barre Granite Association included among its members almost all of the 117 granite companies in the state, and had joined the AIV as an association, paying a lump sum annually as dues.

pensation Law. It is not impossible that these bills were planned as bargaining items, although intrinsically they were compatible with AIV aims. Labor in turn hoped for an increase in the maximum duration of unemployment benefits from 20 weeks to 26 weeks, and for an increase in the maximum weekly payments from \$25 to \$30.

Kane and the CIO representative went into a determined huddle over who would give up what in return for what. Labor's concern was to get an occupational disease bill on the books in some form or other. The AIV, on the other hand, felt that its legislative position was stronger in this session than it had been for some years and that it might be in sessions to come, and therefore wanted to get an occupational disease law in a form acceptable to business. Labor knew that the most it could hope for in a future legislature would be an increase in the number of "friendly" legislators from the three or four in the 1951 session to a possible five or six. Unless the AIV felt that labor was "co-operative," labor demands might be ignored. It was only through the maintenance of reasonably amicable relations with the Association that labor interests could look for success in the legislature. Labor finally agreed to the occupational disease bill in the form in which the AIV had drawn it, and agreed also to withdraw all its proposals for increasing unemployment benefits and extending the duration of payments. The AIV in turn agreed that it would withhold in this session the bills tightening qualifications for unemployment compensation.

These negotiations were carried on completely outside the legislative halls with only two legislative participants. One, Walter Malmquist, was the AIV-picked chairman of the House Commerce and Labor Committee. However, his role was not that of active negotiator but that of liaison between the AIV and the legislature, a role which he played throughout the session on all AIV issues. He kept Speaker Fay and some of the more important legislators informed on this and all other situations in which the AIV was concerned. The other legislator present was the representative from Barre Town, Ralph Smith, who was recognized as the principal legislative spokesman for labor. One or two other legislators were involved in some portions of the bargaining process, and although they did not know the details of all that had happened, they knew that, since agreement had been reached, the bill should be approved. The vast majority of the legislators, however, knew only that both Malmquist and Smith rose on the day of debate and announced that both industry and labor thought the bill should pass. They sat down, the vote was taken, and an occupational disease bill passed the House. The Senate, also noting that Malmquist and Smith urged the bill, granted its approval and the bill became law.

The passing of this bill was not accomplished by any visible lobbying. No attempt was made by either of the interested parties, industry or labor, to "buttonhole" members of the legislature and persuade them of the righteousness of the cause. There was no pleading before legislative committees. Rather, the differences of opinion within industry were first resolved and then agreement on the nature of the bill was reached between the representatives of or-

ganized industry and labor. Agreement to pass the bill came as a result of swapping and cancelling out objectives announced for the 1951 session. Bargaining was readily achieved by virtue of a long-standing "open-door" policy which existed between Kane and John Mitchell, the representatives of the AIV and CIO, respectively. Success for each of them depended upon maintaining an attitude of willingness to bargain with the other, although this dependence was more keenly felt by the CIO than by the AIV. The bulk of the legislators were more than willing to accept the bill without feeling a need to know what had happened behind the scenes, or if anything had happened. Their attention was caught by the more dramatic bills which had not been so resolved and which thus resulted in a clash of interests on the floor.

These more dramatic clashes, which in 1951 centered about the problem of the Governor's budget and tax policy, illustrate the limitations of the above methods. One factor important to the success of the occupational disease negotiations was that the bargaining and the legislative action came relatively early in the session. The bill was passed by the House in the last days of March and by the Senate in the first week of April. Up to that point the social and political organization of the legislature had been comparatively unstructured, and factional lines had not yet become sharply defined. Less than a week after passage of the occupational disease law, the entire character of the legislature changed and "the honeymoon was over." If the occupational disease bill had come up any later than it did, Administration support might have proved a liability and the issue might well have become entangled in the struggle which characterized the remainder of the session.

Governor Emerson, in his inaugural address and budget message, proclaimed an era of economy. No state department was to receive funds for additional personnel or new projects; wherever possible duplication was to be eliminated and consolidation of agencies effected. Above all, no new taxes were to be levied, except for a half-cent increase in the gas tax, which in Vermont is earmarked for highway development. This program in itself, while perhaps not entirely realistic in an inflationary period, would not have alarmed most members of the state legislature. What did arouse comment, and eventually deep acrimony, was the detail of this program. For the departments and agencies singled out by Emerson as those in which the greatest cuts could be made performed services inaugurated by his predecessor, Ernest Gibson. The Vermont Development Commission was to be virtually eliminated, and the new State Police was to be merged with the Motor Vehicle Department. Savings from these two reorganizations were budgeted as sufficient to avert tax increases. The Governor warned that if his program were not carried out, the burden of balancing the budget would rest upon the members of the legislature.

These two issues were seized upon by those in the legislature who had been Gibson supporters, and by much newspaper opinion, as purely "political" maneuvers, designed only to "undo all Gibson had done." By the time the two bills reached the House in early April they had become regarded as Emerson's "test of strength." In the event, they demonstrated that the Governor could

not effectively "control" his legislature, for the House voted \$100,000 to the Development Commission instead of the Governor's proposed \$20,000, and defeated the proposed State Police-Motor Vehicle Department merger. The Senate restored another \$100,000 to the Development Commission, or all but \$40,000 of the Commission's original budget request of \$240,000.

It was not to the advantage of the AIV to become embroiled in either of these issues. Factions in Vermont do not have the stability of established parties in other situations. Today's opponents may well be tomorrow's political compatriots. The Association managed to stay clear of the merger issue almost entirely. However, the Development Commission battle was more difficult to avoid. When a public hearing was scheduled on the proposed cut, Kane received word from the President of AIV to appear at the hearing and support the Governor's proposal. However, there were pressures in the opposite direction. Among the more determined opponents of the proposed cut were the local chambers of commerce, and the resort and hotel interests. Many of the latter were recent additions to membership. Kane could not afford to alienate one part of his membership in order to satisfy another. Furthermore, perhaps the most determined opponent of the proposal was the Vermont Farm Bureau. Since the Farm Bureau was unquestionably the most powerful organized group in the state, it was never to the advantage of the AIV to appear in direct, certainly not in open, opposition to it, if such a position could be avoided. The day of the hearing found Kane with important matters to attend to elsewhere.

Although the AIV managed to remain nominally neutral in these two issues, the Governor's defeat affected the AIV in the consequent problem of taxation. When both of the Governor's major proposals for economizing were defeated, and when the legislature also passed a bill raising the salaries of state employees, it was clear the budget would not be balanced unless new taxes were levied. As he had promised, Emerson had no tax proposal to offer. The legislators were in this difficulty despite his warnings, and the legislators would have to get out of trouble by themselves.

This interpretation of the role of the executive resulted in something close to chaos in the legislature. No one in the legislative branch considered himself responsible for working out an overall tax program. As one senator pointed out, "it's not very smart politically to introduce tax bills. That's supposed to be the job of the Administration, and everybody was glad to leave it to them." However, a small group of leaders of the Governor's faction attempted to solve the problem by introducing a series of small taxes which became known as the "patchwork taxes." Rather than raise the state income tax, a policy which Emerson had disapproved in his budget message, and rather than leap to the politically unpopular sales tax, this group proposed increases in the taxes on beer, on soft drinks, and on amusements. None of these proposed taxes had the official blessing of the Governor. Contradictory reports about his preferences flowed freely in the legislative corridors. Since the patchwork taxes were being proposed by legislators regarded as "Emerson men," there was some feeling

that Emerson was backing the patchwork program; and in fact Emerson was meeting regularly with this group of legislators to discuss the possible methods of passing these taxes. The patchwork program was speedily defeated.

Kane did not find it appropriate to take the initiative on new taxes. The membership of a business group is not likely to be tolerant of the staff's proposing a more active tax program than those emanating from the executive and legislative branches. Furthermore, over the objections of a number of his members, Kane had actively supported a withholding tax earlier in the session. This was not a "new tax," but a new method of collecting taxes. Since it was to be retroactive, it was to result in an immediate "windfall" of several hundred thousand dollars of revenue. Kane, and the Governor as well, had harbored some hopes that this windfall would lessen the pressure for any further taxes. Having gone beyond his membership in this, Kane was unwilling to approve, in the name of the AIV, any further tax proposals. Finally, though none of the industries presently in the AIV would have been hit by the patchwork taxes, Kane was trying to broaden the base of membership in the Association to include, among others, business at which the taxes were directed. Kane was not prepared to alienate these potential members.

It was now the middle of May. The 1951 legislature had already broken all records for length of session, and a solution to the tax problem was not yet in sight. A sales tax proposal was thrown into the hopper, but did not receive the approval of even 15% of the House. It was generally recognized that a tax of this sort required more preparation than a day or two spent copying a bill currently proposed in New Hampshire.

The legislature finally turned from the confusion to a 15% surtax on the state personal and corporate income tax, a solution proposed and introduced in the House by a legislator readily identified as "a Gibson man." This was the only tax on which the Governor had explicitly taken a stand, stating clearly in his budget message that "I do not favor any change in the existing income tax law at this time." It was the tax which the AIV would logically have wanted to defeat. But the AIV was by this time in a changed position. The Association had, at the outset, enjoyed access to the legislature through the formal leadership of the House and Senate. By the end of the session, the formal leadership did not coincide with the actual leadership. The Governor by his policy throughout the session, and by withdrawing himself from leadership on the whole question of taxes, had precipitated the latent cleavage in the legislature. Two sets of informal leaders had emerged.

It could be argued, no doubt, that the Governor and the AIV had not been wholly realistic in assuming that Emerson's program would be adopted in full and that therefore no tax program would be necessary. It might have been wise to have considered early in January what program would be preferred in the event that some new taxes became necessary. When the major decision of tax policy had to be faced, AIV had neither a policy known and acceptable to its members, nor access to the leadership which had developed in the legislature.

III. THE PRESSURED

After this summary of the 1951 legislative session from the perspective of the Associated Industries, it is appropriate to report how the events of the session looked to some of the members of the legislature. The questions to be explored are how these legislators themselves perceived the legislative process; what they thought was their own role in the process; and what place they attributed to organized group interests and activities. More specifically, what issues stood out for these legislators as "important," and for what reasons? What did they think was the role of organized interest groups in shaping the decisions on these or other issues? How much group activity and what kind of group activity were, in fact, visible to the legislators?⁴

The legislators, who were interviewed from two to four months after the close of the 1951 session, did not tell a uniform story of what had happened during the five-month session. They chose for themselves several different kinds of signposts as guides through the confusion and stress of the session. They had different ways of structuring the experience, different perspectives on the elements of the legislative process.

Among the members of the lower house there appeared to be four different ways of describing the session. One group of House members were distinguished by their reluctance to impose any intellectual scheme or interpretation on the events of the session. All of the many episodes of the session were remembered, often with some difficulty, as so many separate items. There was a striking tendency among these representatives to refer questions about specific issues to the report of the committee which had handled the bill, although this is not to say that they remembered very clearly which committee had indeed handled which of the bills under discussion. Unable to see relationships in the handling of different issues, or relationships among informal groups of legislators, these representatives, making a virtue of necessity, seemed to cut down the confusion by taking the "safest" course. They argued that the standing committee members ought to have the "right decision" on each bill, and that the commit-

⁴ The sample of legislators who were interviewed is not statistically representative of the membership of the 1951 session of the Vermont legislature. Forty members of the 246 representatives were interviewed, and 16 of the 30 senators. Half of the members of the House sample were selected by the participant observers in the Associated Industries and the Farm Bureau as either accessible to the interest groups under study, influential in the legislature, or both accessible and influential. The remaining half of the House sample was selected on a random basis. It was originally planned to interview the entire membership of the Senate, but interviews were completed with only slightly more than half of the senators.

Despite the fact that the entire sample was not chosen on a random basis, the sample as it was drawn is representative in certain characteristics considered relevant. The geographic distribution of the members and the party division in the legislature are quite accurately reflected in the sample, as is the distribution by previous legislative experience. The 40 members of the House under-represent slightly the proportion of representatives from the smaller towns, and the proportion of farmer-representatives, and over-represent slightly the proportion of lawyer-representatives.

tee reports ought to be followed by the legislature. These legislators had not evolved broad standards for judging the issues as matters of social policy. They did not see the legislature as a forum for rival parties, factions, or interests. They did not identify leaders in the legislative process. Their interpretation of events was in terms of a traditional democratic morality. As representatives they were under obligation to their own consciences to do the right thing. The standing committee was to define, from its hearings and special competence, what was right. As observers of the interaction patterns in the 1951 session, they were "non-generalizers," and will be so termed below.

A second group of members of the lower house was sensitive primarily to the factional cleavage among the Republican legislators. Although these representatives could identify some of the more specific issues on which the cleavage had been apparent, they tended to discuss the cleavage as a conflict between rivals seeking advancement and power in state politics. For them a great many of the events of the session had turned on which group of factional leaders was the more effective or persuasive. These representatives will be referred to as the "faction-oriented."

A third group of the legislators added a further dimension to the process. They were aware of the factional clashes. They saw also a relation between the Governor's program and the emergence of factional alignment. Among this group, the Emerson supporters felt that his original message of economy in state programs, to avoid tax increases, had been sound. Although they had doubts of varying degrees about the specific proposals which were to effectuate this program, they cast their lot with the overall aim. Those who developed into "the opposition" had in some cases been Gibson supporters in previous years, and in other cases had been uncommitted. But they agreed that the reorganization and decimation proposals were unacceptable, whatever the merit of economy in general. For these legislators, the session was a struggle between factions emerging out of the Governor's program. They were essentially "program oriented" in their answers to questions covering the range of legislative activity.

A fourth group of representatives, "policy-oriented", saw the relation between broad program and faction. But their concern was with their own role as active leaders promoting particular policies or seeking to take care of policy in what might be called an issue area. Three were focussed on the interests of labor, and a fourth dealt with education. To these legislators the story of the session was the story of their own activity with relation to these policy matters and their own negotiations with interest groups and legislative factions. To a degree they sought for themselves a limited and special role as factional leaders; but their purpose and their interpretation of events were in terms of particular policies.⁵

⁵ These perspectives and the analyses to follow must of necessity be impressionistic and based on rough quantification. The sample is too small to allow more rigorous validation. The number of representatives who fall into each group should be kept in mind.

IV. LEGISLATIVE VIEWS OF ISSUES AND GROUPS

The research used a focussed interview. At the outset the legislator was asked what he considered the most important problem of the session. It was mainly from the responses to this question that the varying perspectives emerged.

With one exception, all the "policy" and "program-oriented" legislators selected as the most important problem of the session the question of the Governor's program and budget, which led them immediately into a discussion of the policy of economy, the State Police merger and the Vermont Development Commission questions, the various tax programs, and the split in the Republican party.

Most of the "faction-oriented" selected the merger, the Vermont Development Commission cut, or one of the tax proposals. The biggest difference between this group and the "policy-" and "program-oriented" groups was the failure of the "faction-oriented" to see the interconnections between any of these issues and the entire range of issues which had made up "the problem" for the first two groups of legislators.

As for the fourth group, the "non-generalizers," almost every representative in this group picked a different issue as "the most important problem in the session." A few chose one or another of the tax proposals, but the range of issues selected was widely scattered. Every issue appearing in the interview with a member of this group was treated by him as a discrete issue with no apparent sense of interconnections.⁶

Group	Number of Representatives
"Policy-Oriented"	4
"Program-Oriented"	12
"Faction-Oriented"	13
"Non-generalizers"	11
	—
Total	40

The Senate sample is too small to analyze separately. All quantifications are based on the representatives. The findings reported on the representatives appear as tendencies in the Senate. The two samples have not been combined, since the two populations differ in intrinsic characteristics.

⁶ After the legislator had completed his discourse on "the most important problems," specific issues were introduced unless volunteered by respondent. Since the interest group activity on these issues was available from the participant observers, one purpose of the legislative survey was to complement this story with a picture of how the process appeared to the legislator. Accordingly, it was planned to include discussion of the questions on which the AIV had been most active and interested: the occupational disease and unemployment compensation bills which had been involved in the business-labor negotiations. Each interview was also intended to include a discussion of the Governor's budget, the proposed State Police merger, the proposed cut in the Vermont Development Commission appropriations, the "patchwork" taxes, and the sales-income tax alternatives.

In addition, the interviews were planned to include discussion of two matters on which the Vermont Farm Bureau had been active: a proposal to permit the sale of colored oleomargarine; and two proposals relating to the St. Lawrence Seaway, one memorializing Congress to approve the Seaway, and another establishing an agency in Vermont which would be authorized to negotiate for power resulting from any St. Lawrence development.

The most striking fact which emerged from the interviews as a whole was the extremely low level of recognition of interest group activity. Although every representative interviewed knew of the Vermont Farm Bureau, more than a third had never heard of the Associated Industries of Vermont, and only a few more had any notion that the labor interests in Vermont were organized. One third of the representatives had never heard of Arthur Packard, for a generation the president and lobbyist for the Farm Bureau, and about two thirds of them were unable to identify the lobbyists for either the AIV or the CIO. Even fewer were able to recall more than one issue in which these groups had been interested.

TABLE I. PER CENT OF REPRESENTATIVES INTERVIEWED WHO WERE ABLE TO IDENTIFY ORGANIZED GROUPS, THEIR LOBBYISTS, AND ISSUES IN WHICH THE ORGANIZED GROUPS WERE INTERESTED
(N = 40)

Question	Per Cent Able to Recognize		
	Farm Bureau	AIV	CIO/AFL*
Group itself	100.0%	62.5%	77.5%
Lobbyist	70.0	40.0	37.5
More than one issue	60.0	30.0	30.0

* Although John Mitchell, the labor lobbyist identified here as the most active during the session, represents officially the CIO, he was considered to have been representing both the CIO and the AFL. The granite quarry workers belong to the CIO and the stone cutters belong to the AFL.

These differentials in the ability of the representatives to recognize organized groups, their lobbyists, and issues in which the groups were interested are closely linked to the different ways the various legislators structured the session. The representatives who made the more complex analysis of the legislative process, the "policy-" and the "program-oriented," saw more organized group activity than did the "faction-oriented." The "non-generalizers" had the lowest level of recall and recognition of organized group activity. Their concept of the legislative process did not require it of them. Or was it that, lacking recognition of interest groups, their concept of process had to build without such elements? The data allow the question to be raised, but do not answer it.

The level of recognition or recall of group activity involved in this analysis is not exacting. It is based on the ability of the legislator to recognize or recall the existence of the organized farm, business, and labor interests; to recognize or recall the name of any of the lobbyists for these groups; and to link either the organized group or its lobbyist to issues which had arisen in the 1951 session.

The interviews did not follow a prescribed sequence, nor were they confined to these topics. They did not always achieve complete coverage, either because respondent lacked information or interest in the proposed items, or because the interview developed respondent's concepts of party, faction, interest group, executive roles, and issues by other means.

TABLE II. REPRESENTATIVES IN EACH CATEGORY OF PERSPECTIVE ON THE SESSION WHO WERE ABLE TO IDENTIFY ORGANIZED INTEREST GROUPS

Legislative Perspective	Number	Per Cent Able to Recognize Organized Interest Group		
		Farm Bureau	AIV	CIO/AFL
"Policy-Oriented"	4	100.0%	100.0%	100.0%
"Program-Oriented"	12	100.0	100.0	100.0
"Faction-Oriented"	13	100.0	56.2	76.9
"Non-Generalizers"	11	100.0	45.4	45.4
Totals	40	100.0	62.5	77.5

TABLE III. REPRESENTATIVES IN EACH CATEGORY OF PERSPECTIVE ON THE SESSION WHO WERE ABLE TO IDENTIFY THE LOBBYISTS FOR EACH GROUP

Legislative Perspective	Number	Per Cent Able to Recognize Lobbyist of the Group		
		Farm Bureau	AIV	CIO/AFL
"Policy-Oriented"	4	100.0%	100.0%	100.0%
"Program-Oriented"	12	75.0	75.0	41.7
"Faction-Oriented"	13	84.6	23.0	23.1
"Non-Generalizers"	11	36.4	00.0	27.3
Totals	40	70.0	40.0	37.5

TABLE IV. REPRESENTATIVES IN EACH CATEGORY OF PERSPECTIVE ON THE SESSION WHO WERE ABLE TO RECALL MORE THAN ONE ISSUE IN WHICH A GROUP HAD BEEN INTERESTED OR ACTIVE

Legislative Perspective	Number	Per Cent Able to Recognize More Than One Issue in Which Each Group Had Been Active		
		Farm Bureau	AIV	CIO/AFL
"Policy-Oriented"	4	75.0%	100.0%	100.0%
"Program-Oriented"	12	83.3	58.3	33.3
"Faction-Oriented"	13	61.5	7.7	23.2
"Non-Generalizers"	11	18.4	9.9	18.4
Totals	40	60.0	30.0	30.0

There was far less recognition of inter-group bargaining, techniques of lobbying, and patterns of individual interaction. Only two of the representatives interviewed were fully aware of the inter-group negotiations which had taken place on the occupational disease bill. Two or three others knew that some negotia-

tions had taken place, but did not know that concessions had been made by the two sides. They referred questions about such details to Representatives Ralph Smith or Walter Malmquist, who, it will be recalled, were the two representatives actually involved in the whole range of negotiations. Another two or three representatives knew that business and labor—and they only presumed that it had been Kane and Mitchell—had somehow managed to agree on the occupational disease bill, but had no idea of what the agreement had involved or that it had taken the form of a *quid pro quo*. The remaining representatives could recall the occupational disease bill only dimly, and associated it vaguely with labor, but for the most part did not recall that the AIV or “business” had been concerned with it, and had no knowledge of “business-labor” conferences, negotiations, or compromises.

This less than a dozen representatives who had been aware to varying degree of the protracted and, to the AIV and labor, highly important negotiations, were almost without exception the only ones who were able to discuss in any detail the nature of the membership of the Associated Industries, and it was not clear to all of them how the diversity of membership had influenced Kane’s ability to act in the development of the tax program. The other representatives were hardly aware of the existence of the AIV and had no conception of the nature of its membership. All those with the “policy-oriented” perspective and half of those with the “program-oriented” perspective knew that the AIV had a high degree of interest in the various tax alternatives which were being proposed, and they had been watching to see whether the group would, in fact, take a position on tax changes. None of the other representatives (who constitute 75% of the sample of the lower house) had any notion that the AIV was interested in the tax proposals.

The dimensions of a legislator’s awareness of group activity do not appear to be related to respondent’s affiliation with one faction or another. Faction was also unrelated to the representative’s conception of the process in the legislative session. As noted above, however, there was a relationship between the way the legislator structured the events of the session and his ability to report the activity of organized groups. Furthermore, it was not unexpected

TABLE V. RELATIONSHIP BETWEEN PERSPECTIVE ON LEGISLATIVE SESSION AND SOCIO-ECONOMIC VARIABLES

Legislative Perspective	Number	Per Cent of Legislators within Each Category		
		From Towns With Pop. of More Than 2,500	With Previous Leg. Experience	With College Education
“Policy-Oriented”	4	100.0%	75.0%	100.0%
“Program-Oriented”	12	50.0	66.7	58.3
“Faction-Oriented”	13	15.4	53.8	30.8
“Non-Generalizers”	11	0.0	27.2	9.1

that the more complex patterns were seen by respondents of longer legislative service, more education, less geographic isolation, and more urban background.

Widely different attitudes and value judgments emerged from the interviews as to the role of interest groups in the decision-making process. A number of the legislators, mostly "policy-oriented" or "program-oriented," recognized the importance of inter-group negotiations in softening the edges of conflict among interests, be they organized or unorganized. Some legislators cited instances when they themselves had urged such negotiations. Others had sought to establish that such inter-group conferences had taken place and that the results were acceptable to the participants. One legislator, for example, discussed the occupational disease bill by saying:

... that was one thing John Mitchell was very interested in. I saw him around and asked him about it, and he told me to vote for it. I asked him if he was satisfied with it, and he said "no," he wasn't, but "go talk to Ted Kane—he isn't satisfied with it either. Or talk to (Ralph) Smith—he isn't satisfied either. None of us are satisfied, but it gets a bill on the books." So it was a compromise bill, and I voted for it.

Then there were the legislators, also among the "policy-" and "program-oriented," who pointed out that unilateral pressure was not ordinarily effective in changing opinions:

Lobbyists are effective only when opinion is not already made up, or when there is a propensity in that direction anyway. I can't think of one instance when an actual switch was brought about by lobbying.

A few others, not so facile with abstractions, confirmed this opinion. One legislator, a farmer himself, told of an attempt made by the Farm Bureau to persuade him to vote against the State Police merger when he himself had been in favor of it:

This was the bill I was most pressured on. The Farm Bureau tried to change my vote. Each county has a Farm Bureau branch, and each branch has a legislative committee of about five people, not themselves legislators. They discuss the issues they think are going to come up and pass resolutions. During the session the local committees meet and talk about bills. The ————— County committee had decided that they were against the merger. After the second reading when they found out that I had voted for the merger they came to me and asked me to change my vote on the third reading. I said I didn't think I would, and I didn't. There was nothing they could do about it.

In another instance a farmer-legislator had been subjected to vigorous argument by the retail grocers, who were working for repeal of laws against the sale of colored oleomargarine: "I guess it will get passed eventually," he said sadly. "More and more seem to be for it; but I couldn't come home and look one of my cows in the eye if I voted for it."

Some of these legislators were anxious to point out that a discussion of interest groups cannot be confined to what is ordinarily termed "lobbying." Said one legislator:

You can't talk about "Farm Bureau" activity on this bill. Farm support or opposition is not always organized. It's the same with any group. For example when this bill came up, or when any bill comes up, the members of the Agriculture Committee sit around

for a while in their committee room and discuss the effects of the bill on them as farmers. Sure, they're all farmers and probably all Farm Bureau members. But is this an organized group? Not really. At least not organized in such a way that you can point to direct Farm Bureau influence.

Another legislator talking about the influence of one of the lobbyists who had at one point in his career held state office, had this to say:

It's not so much a question of cornering this one or that in lobbies, . . . had a room on the second floor of the hotel and so did a number of influential legislators. He'd go out about 10 P.M. and get together with a few of them. He's an old guy, very lively and highly respected. They'd pat the man on the back and invite him in. Then he'd say, "you know, about this bill and that. I think this and that." And he'd be listened to. It's much more this kind of thing than actually speaking in hearings, although he did that too.

These were the legislators, too, who considered various organized groups and their lobbyists to be sources of information not only on the actual content of bills, but on attitudes about the bills. A few first-term members reported that they had consulted with the politically experienced lobbyists to get their opinions on techniques of legislative strategy.

In sharp contrast to those who viewed the interest groups as the instruments for softening conflict, defining alternatives, and conveying information, were the legislators who expressed highly negative opinions about the role of interest groups in the legislative process. Some of these fell into the category of "faction-oriented," but most of them were the "non-generalizers." "Lobbying is immoral, indecent, and unnecessary," was a fairly representative statement among this group. "There were lots of lobbyists around, but they knew it wouldn't do any good to talk to me, and I left them alone too," said another. Running through most of such interviews was a concept of an undefined "they." For the most part, unable to fit into their framework of process the activities of organized groups, these legislators could say only that "they killed it," or "they got it passed," but could not identify who "they" actually were, or how "they" had managed to kill or pass the bill.

V. LEADERSHIP IN THE LEGISLATURE

At the close of the interview each legislator was asked to nominate the members of the legislature whom it would be most valuable for the research team to visit and question. A noticeable pattern was a pronounced regional division of the state. Legislators from the southern part tended to suggest only other legislators from the south, and northern legislators tended to feel that only other legislators from the north were "worth talking to."⁷ In addition, a simple count of the number of times any legislator was recommended revealed an informal structure in the legislature. Certain legislators were recommended many times more frequently than others, and their nomination was independent of respond-

⁷ This division was a real surprise. Preliminary talks with knowledgeable people had described the political organization of the Republican party as dividing between east and west, with an alternation in office for the two sides of the mountains.

ent's factional preference or geographic residence. Without exception, those nominees appearing in the sample interviewed were "policy-oriented" or "program-oriented" in their own interpretation of the session. Parenthetically and understandably, the "non-generalizers" made the fewest nominations, and made them with the greatest reluctance.

These nominated legislative leaders, who commanded an important position in the informal structure of the legislature, appeared to have played a significant part in interpreting and reporting events for the others. They seem to have defined for the others both the nature of reality and the alternative means for bringing such reality into better adjustment with the legislator's personal preferences. They did not influence to any noticeable degree the final choice among these alternatives for the other legislators, as evidenced by the roll-call votes on crucial issues, and by the factional allegiances of respondent and nominee.⁸

VI. REVIEWING THE RECORD

The 1951 session afforded the Associated Industries of Vermont some interesting surprises. On the policy issue defined in advance for action, the strategy of inter-group negotiation worked admirably. The advantage of access gained from the 1950 election was put to immediate use. The substance of the bill was satisfactory to the business members. The timing was right in the legislature. The relations with other groups remained cooperative and available for further issues. The tactical moves were made out of the public eye. The requisite appearance of harmony was sustained; there were no complicated reservations, no outcries of frustration, to precipitate a negative vote.

But the case study suggests forcefully that the business group had interests at stake on many fronts, and was far from free to have its own way. Sure of access to the executive and to both houses of the legislature, convinced that the climate of opinion in the election had been sympathetic to its needs and aspirations, careful to avoid the limelight, aware that the label of business was a handicap to a policy proposal, active to form alliances with labor on social insurance and with agriculture on federal control of inflation, the AIV nonetheless ran into heavy weather. Representatives of business had worked closely with the new governor in preparing the budget message. Economy and no new

⁸ Though the data available from the interviews do not bring it into clear focus, there is a further variable related to the informal leadership structure of the legislature. To some members, service in the legislature is a strictly amateur undertaking, pursued for many motives, it is true: out of a sense of civic duty; as an enormously entertaining pastime to relieve the rigor of a northern winter; a varied social occasion; a chance to make business contacts or advance personal status in the home community. To others, it is part of their professional vocation. The professionals may go no further than the legislature, and may not expect to. Or they may be moving rapidly through a series of public offices. They may be freshmen or have many years of experience. In any case, the professional member must bring to his role a different perspective of the process and a different stance in his own activities than does the amateur. Further research is needed to develop the relationships between these roles and the materials analyzed in this case study.

taxes were the keynotes of the executive program. But an absolute freezing of appropriations was not realistic in a year of inflation. The proposed reorganization of agencies became a symbol of factional rivalry. The informal leadership emerging during the session left the AIV with notably diminished access. The timing on the major issue of the new taxes turned out to be all wrong. The AIV had not anticipated the problem, and lacked a policy and a strategic plan. The rotten-borough, rural-dominated legislature, with short tenure, afforded little opportunity for AIV to develop a case for business views of fiscal policy. A final irony of the 1951 episode was the 1952 election, in which Governor Emerson, seeking re-election, was widely criticized for the overwhelming surplus in the state treasury, product of these increased personal and corporate income taxes under the stimulus of the Truman boom.

The widely varying conceptions of the legislative process that turned up in the legislative interviews after the session explained much about the cautious approach used by AIV. Kane did not try to be invisible, and there is little to be said for stereotypes of invisible governments and pressure group politics. But, to a political scientist, it is reasonably astonishing to discover how few of the legislators could name the interest groups correctly or associate group executive with group or issue. The amateur legislature, meeting biennially, for nominal compensation, is a remarkably relaxed forum of political behavior. The issues are viewed as postponable. The temperature is kept moderate by this basic technique of resolving conflict. In this case the interest group had to play the game of politics with a legislature that was essentially unorganized until the game was better than half over.

EXTRA-LEGAL POLITICAL PARTIES IN WISCONSIN

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American political parties have long been the victims of a peculiarly ambivalent public attitude—an attitude which on the one hand views them as perverters of the democratic spirit while on the other hand it gives them a vital role in the political process. Much of the regulation imposed on the parties in this spirit of distrust makes it all the more difficult for them to carry out their political role. To operate successfully, they have been forced to adapt their organization and functions to rigorous legal climates.

The vagueness and flexibility of political organization in the states reflect this constant struggle the parties wage to maintain their vitality and integrity against what are frequently severe legal odds. Parties have learned to create informal organs which will be effective and practical. Consequently, the real centers of political power rarely parallel the orderly, pyramided party organizations that the states create. The state or local party leader who holds no formal party office and the extra-legal organization or "machine" are common-places in American politics.

This paper will examine the efforts of the two major parties of one state—Wisconsin—to develop organizations flexible enough to permit them to operate effectively as political parties, while exposing themselves to the barest minimum of control. These Wisconsin parties have found their answer in a series of extra-legal "voluntary" committees, which today carry on all of the real and important party activities in the state. In their first stages, the voluntary committees were used by dissident groups as tools to win control of the parties and to reorient them ideologically. They later served the parties both as means of establishing more responsible party government in pursuance of that ideology, and as devices for avoiding the demanding regulations Wisconsin imposes on its parties. In fulfilling all of these functions, the voluntary committees provided the parties with a more effective base of operations than the awkward, ill-conceived statutory party structure.

I. STATUTORY AND VOLUNTARY COMMITTEES

The Wisconsin statutes outline a party structure to which parties in Wisconsin are to conform.¹ This "statutory party" organization, growing out of the state's September primary election, is not unusual or atypical. At the primary the voters in every precinct in the state elect a party precinct committeeman for a two-year term. All of the committeemen elected within a city or county meet to form the party's city and county committees.² The county committees

¹ Wisconsin, *Statutes*, 1953, Ch. 5.35, 5.36.

² In the city of Milwaukee the committeemen are elected by wards. The Milwaukee county committee, therefore, consists of the ward committeemen from the city and the precinct committeemen from the other governmental units in the county.

in turn send representatives to form the state assembly, senatorial, and congressional district committees.

This method of electing committees indirectly, originating with the elected precinct committeeman, stops just beneath the peak of the party hierarchy. At the peak, the party's state central committee is chosen by a statutory convention composed of all party candidates for state executive and legislative offices nominated at the primary.³ The convention meets in early October, three weeks after the September primary, and writes a platform for the party in addition to choosing the state committee. This state central committee of each party, consisting of at least two members from each congressional district, chooses its own chairman, who need not be an elected committee member.

This, then, is the statutory party organization that was designed to replace the party organization which had grown from the earlier network of party caucuses and conventions in pre-primary days. When the Progressives abolished the caucuses and conventions in order to give the power of nomination to the voters in 1903, there remained no means through which the parties could write a platform or choose officers. The statutory party organizations chosen at the primary and the new state convention of nominees were intended to fill the gap.

The effective Republican and Democratic party organizations today, however, do not operate through these statutory party committees. Both parties have set up "voluntary committee" organizations that carry on the real functions of a party: raising funds, campaigning, and seeking office. Though popularly known as the "Republican voluntary committee," the Republican organization, founded in 1925, bears the official title of The Republican Party of Wisconsin. The Democratic Party of Wisconsin, the Democratic voluntary vehicle, was established in 1948 as the Democratic Organizing Committee; it changed its name in 1953. Alongside of these organizations within each party, the statutory organizations exist only as shell organizations, performing their statutory duties at the beck and call of the respective voluntary organizations.

The term "voluntary committee" in its most precise usage is a generic term employed to describe the type of non-party groups that spring up temporarily as *ad hoc* organizations to support a single candidate or issue. As such, their temporary nature is betrayed by names such as "The Smithens for Senator Club," or "The Labor Committee for Justice in Taxation." But more commonly in Wisconsin politics the term is now used to describe the hierarchy of voluntary committees through which each party operates.

In either sense, however, the voluntary committees in Wisconsin derive their legal justification from the same source. Some years before the growth of the voluntary committees into full-fledged party organizations, the Wisconsin legislature attempted to forbid them to make political expenditures except in extremely limited circumstances. The state Supreme Court declared the law unconstitutional as infringing the right of citizens to work outside of the es-

³ Included in the statutory convention also are the hold-over state senators whose terms have not yet expired.

tablished party apparatus for a political cause or candidate.⁴ Ever since then this early precedent has justified the right of the voluntary committees to exist and function, even though the voluntary committees have since developed into complete party organizations.

In structure the two voluntary committee organizations—the Republican Party of Wisconsin (RPW) and the Democratic Party of Wisconsin (DPW)—are similar. The basic unit in both organizations is the county committee, composed in each case of those partisans who merely choose to affiliate themselves. The founders of the DPW (then the Democratic Organizing Committee) envisioned a mass-membership organization in which the members in each county would meet regularly to conduct party affairs and debate political issues, but in practice the DPW county units have not become thriving, year-around organizations. With a few notable exceptions, the average county unit meets only three to five times a year, although activity is much greater at campaign times than in the political “off-season.” Party officers carry on party business in the periods between meetings. The Republican county voluntary organizations generally meet only once in the year to elect officers and to select delegates to the state convention; party affairs are usually vested in a county executive committee.⁵

Both party voluntary groups specify that the delegates to the state voluntary convention from the counties within each congressional district are to meet biennially to elect a congressional district chairman. The Republicans, in addition, elect a district chairwoman. But active district-wide organization is virtually non-existent; the county is still the basic unit of party activity. Aside from their duties on the state voluntary committees, the district chairmen of both parties perform only incidental duties. Provisions in the RPW constitution for a congressional committee and in the DPW constitution for a district caucus of county chairmen have failed to stimulate viable party organization at the district level.

The district chairmen in both parties (and the chairwomen in the RPW) form the nucleus of the highest regular party organs, the RPW executive committee and the DPW administrative committee. In addition, the state officers, representatives of the youth and women’s organizations, plus other party leaders, sit on these state committees. In addition to its 22 voting members, the DPW has added to the administrative committee six non-voting members, including three of the party’s state legislators.⁶

The state-wide voluntary committee organizations of each party are in effect *the party*. Both at the county and at the state levels, the statutory party apparatus has been bypassed and lies in various states of inactivity that will be dis-

⁴ *State v. Pierce*, 163 Wis. 615 (1916). See also *State ex rel. La Follette v. Kohler*, 200 Wis. 518 (1929).

⁵ The Milwaukee county units within both voluntary organizations are composed of delegates from the active ward groups, most of which also hold periodic meetings.

⁶ The constitution of the RPW also provides for a “state Republican committee” composed of the party officers, the national committeeman and committeewoman, the district representatives, and at least five members from each county. To the best of the author’s knowledge, this elaborate committee has never met.

cussed later. Both national party committees recognize and deal with the respective voluntary organizations in the state. Finally, each of the organizations vests final party authority in its annual convention. Only the conventions may amend the voluntary committee constitutions. Delegates to both conventions are sent by the county units, the Republicans employing a formula weighting representation by party vote in a county and the Democrats using one considering both Democratic vote and party membership in a county. Both voluntary conventions, which meet in June or July, write platforms, pass resolutions, and hear the usual abundance of speeches.⁷

II. THE RISE AND PERSISTENCE OF THE VOLUNTARY COMMITTEES

The voluntary committees originated as attempts by intraparty dissenters to take over the party label and machinery. In both cases, the challengers for party control could not win their fight within the statutory organizations in use at the time. There was no place for them in the statutory committees, chosen as they were at the primary. One could no longer simply "join" the party organization; one had to be elected. The job of capturing the party organization—much easier when party committees were chosen at caucuses—had become vastly more difficult now that party committeemen were elected. Thus, with the statutory organization so resistant to change, the dissenters chose to commence an assault through special voluntary committees of like-minded rebels.

The Republican party throughout the 1920's had been controlled by the LaFollette Progressives; the Progressives did not, in fact, form their own Progressive party in Wisconsin until 1934. In 1925 a group of conservative Republican businessmen, who had campaigned for the Coolidge-Dawes ticket a year before, set up the Republican Party of Wisconsin. Particularly outraged by the official Wisconsin Republican support for LaFollette's presidential candidacy in 1924, these men declared war on the LaFollette wing of the party by endorsing their own candidates for the Republican primary. Their chief aim was to realign Wisconsin Republicanism with the national party—to pledge it to the same business-oriented philosophy that dominated the national party.

The RPW floundered and failed at first but succeeded in 1928 in winning the gubernatorial nomination for Walter Kohler, Sr. Again in 1932, with the revived Democratic party drawing Progressive votes out of the Republican primary, Kohler beat Phil LaFollette for the Republican nomination. In 1934, their power to nominate Progressives on the Republican ticket lost, the Progressives withdrew to form their own party, leaving the conservatives in control of the Republican party.

Likewise in 1948 the DPW (then the Democratic Organizing Committee) began as a revolt against the entrenched Democratic party leadership in the state. Throughout the 1930's and 1940's the Democratic party had been languishing in the hands of a group of conservatives, many of whom were openly hostile to the New Deal and the national party leadership. They had kept the party in a state of controlled dormancy from 1932 on while they siphoned off the national party patronage. The founders of the DPW, largely an intellectual-labor coali-

⁷ In the odd-numbered years the DPW convention meets in autumn.

tion, were young men aggressively loyal to the principles of the New and Fair Deals. Profiting by the example of Republican success with a voluntary organization, the "Young Turks" contested and won the 1948 Democratic primaries. They have gradually assumed control of the statutory party machinery as their hold on the primary has continued, but some few county statutory organizations are still in the hands of the "old-line" Democrats.

In each party, then, the rebels within the party, realizing they could never win control of the statutory party machinery until they won control of the primary nominations, created the voluntary committee as an action group to win the nominations. Whereas in pre-primary days control of the party could change hands at a convention, control of the statutory organization could only grow out of success at the primary in electing committeemen and nominees to sit in the statutory convention. But once these two voluntary committees had won control of their respective parties, they made no move to return to the statutory party organs. Their reasons provide an eloquent commentary on the statutory regulation of political parties.

In the first place, the Republicans seized on the voluntary organization as a means for making pre-primary endorsements of Republican candidates. The statutory organization, since it grew out of the primary election and was not formed until some weeks after the primary, was unavailable for party activity during the primary campaign. Republicans had long felt that, with the Wisconsin primary an open primary and an important one,⁸ the party had to regain a role in the nominating process. After a vacillating history of endorsing and not endorsing from 1925 through 1948, the RPW amended its constitution in 1949 to make endorsements mandatory for the five state offices and the seats in the United States Senate. The voluntary organization's state convention makes the endorsements and promises its endorsees the pre-primary support of the party and its considerable resources. On the other hand, the founders of the DPW wrote into their constitution a prohibition of endorsement for any office, and a segment of DPW members has been shrill in its criticism of Republican endorsement as violating the letter and the spirit of the primary law.⁹

The value of the endorsement process to the RPW is difficult to assess. In the period 1925 to 1934 the RPW shared the Republican party with the Progressives, and in that period the RPW endorsees won the Republican nomination only six out of 23 times. With the Republican party label to themselves from 1934 to 1952, however, the Republican endorsement average jumped to 88 per cent (30 out of 34). Endorsement has also been potent in reducing the number of candidacies for each office. In the non-endorsement years from 1934 to 1952 (1938, 1940, 1944, and 1948) the number of Republican candidates per statewide office averaged 3.3. But in the endorsement years of the same period, the

⁸ The Republican primary is especially important since most of the Wisconsin political battles are settled there. Only in 1932 did the Democrats elect a governor in this century, and the state legislature is three-quarters Republican.

⁹ While the DPW formally eschews endorsement, an informal consensus among party leaders ("general agreement") often achieves a similar result, but the party, as a party, does not enter the campaign.

number of candidates per office was reduced to 1.7. In those instances when no incumbent was running in the Republican primary in the same period, the average number of candidates per office in non-endorsement years was 4.3, while in endorsement years it was 1.4. Endorsement, then, more than accomplishes its purpose if it discourages competing candidates and completely averts a primary fight. Endorsement has, however, failed to unseat incumbents. The party has been reluctant to try to purge incumbents, and its few attempts have been spectacular failures.

At the congressional district level, endorsements have been only infrequently used, and then only to defeat former Progressives trying to reenter the Republican party after the dissolution of the Progressive party in 1946. At the district level, and more especially in the counties, there is strong feeling among Republicans against endorsement. Many partisans fear that endorsements cause personal offense at the local level and violate the spirit of the primary. Furthermore, these local units hold no general caucuses in summer at which endorsements might be made. As a result, endorsement of candidates for local or legislative offices is almost unknown at the county level.

The second broad reason for the continuation of the voluntary organization in both parties can be found in the statutory organization itself. Its many rigidities and restrictions make it an awkward, if not useless, instrument for political action in mid-twentieth century. The county statutory units and the state central committee are entrenched for a two-year period, with no possibility of removal by the party. A modern political campaign is also severely handicapped when the party chairman and the state central committee are not selected until one month before the general election. While year-around political organization may not have been vital to the parties at the turn of the century, it has become so since then. Furthermore, loyal party workers are given little role in choosing the party committees; the primary voters elect the county committees and the party's nominees select the state central committee.¹⁰ Then again, the statutory organization recognizes only one man in each precinct and thereby closes the door on a broadly-based membership organization.

Thirdly, and finally, the persistence of the voluntary organizations can be attributed to their effectiveness in circumventing the Wisconsin statutory limitations on campaign expenditures. The state's corrupt practices legislation, written in 1911, severely limits the expenditures made by political candidates.¹¹ The statutory committees are granted no independent spending power, with the exception of the \$10,000 the state central committee is permitted to spend. Statutory committees may spend only on authorization of a candidate, and

¹⁰ This problem is heightened, as are so many problems of the Wisconsin parties, by the fact that Wisconsin has an open primary. Party leadership is therefore elected at a primary where there is no test of party membership.

¹¹ The limits range all the way from the \$10,000 permitted the candidate for the United States Senate and state executive office to the \$400 allowed the candidate for the state assembly. In addition, since 1951 each candidate is allowed to purchase one-fourth page of advertising in newspapers having a circulation within the district he seeks to represent and to mail one communication to each voter in the constituency. Wisconsin, *Statutes*, 1953, Ch. 12.20.

these authorized expenditures are then charged against the expenditure quota allowed the candidate. The voluntary committees, however, are required only to register with the secretary of state and file periodic statements of receipts and expenditures,¹² since the original attempt to regulate their expenditures was ruled unconstitutional.¹³ There is no limit to the total they may spend.

This legislation assumes that the voluntary committees are operating apart from and without the knowledge of the candidates and their personal committees. Since the voluntary committees are completely independent of the candidates, so theory has it, their expenditures cannot be included with the candidates' expense totals. The Wisconsin Supreme Court formalized this assumption in 1929 by ruling that a voluntary committee expenditure could be charged against a candidate's total only if the committee "acts for him in the sense that an agent acts for and on behalf of his principal. The authority may be expressed or implied but it must exist. Otherwise the disbursement is not made on behalf of the person sought to be charged."¹⁴ This construction, dating from the period when voluntary committees were still only small, *ad hoc* political groups, has been applied in its entirety to the voluntary committees of today, even though they have become state-wide political parties.

The legal assumption that the candidate is not aware of the activities of a voluntary committee, and cannot be held accountable for them, has frequently been challenged. And indeed, the point of agency is especially strained in those cases where the chairmen of county voluntary organizations are also themselves candidates or office-holders. The assumption then must be that Assemblyman X is unaware of what his county voluntary committee is doing on his behalf in the campaign, when he is in fact the chairman of the county organization.

The voluntary committees have, therefore, succeeded as vehicles enabling the parties to skirt the perils of the open primary, the statutory party organization, and the political expenditures legislation. So successful, indeed, have they been that the Republicans, in control of the state legislature since 1939, have abandoned all attempts to alter the irksome legislation and turn back to the statutory system. As a matter of fact, there is no reason to suspect that the laws could be easily amended, even if the party were so inclined. The traditional LaFollette opposition to strong parties and strong party leadership ("bossism") has not lost its power in Wisconsin. The Republicans fear that any attempt to soften legal control of the parties would rouse the guardians of the LaFollette tradition and give the Democrats a powerful campaign issue. They have not yet forgotten their one recent experience in tampering with the primary law—the unsuccessful and embarrassing attempt in 1946 to keep former Progressives from running as Republicans.¹⁵

¹² The corrupt practices legislation is found in Wisconsin, *Statutes*, 1953, Ch. 12.

¹³ *State v. Pierce*, 163 Wis. 615 (1916).

¹⁴ *State ex. rel. LaFollette v. Kohler*, 200 Wis. 518 (1929), pp. 563–64.

¹⁵ The bill, tabbed the "fence bill" by its opponents, was vetoed with a stinging message by Governor Walter Goodland. The governor, already a popular political figure, was widely praised in the press for the veto. The Republican majority in the legislature could not muster enough votes to override the veto.

A more important consideration, however, is that the Republicans do not want change. Republican leaders are delighted with the voluntary organization and regard it as a "brilliant idea." Through it the parties have found a *modus vivendi*, and party leaders hesitate to disturb the balance so achieved. For even if—by some stroke of a legislative wand—the statutory organization could be made as commodious as possible, some element of legal control would remain. The beauty of the voluntary committee arrangement is that, with the exception of the need to make financial reports, it is completely extra-legal.

III. THE DECLINE OF THE STATUTORY ORGANIZATION

Accompanying the rise of the voluntary organizations as the effective party organs has been a corresponding decline in the operations of the statutory organizations. Because the Wisconsin statutes allot certain specific duties to the statutory party units, however, the voluntary committees have been forced to activate and control the statutory committees.

To the county statutory committees falls the legal duty of recommending to the local mayor, village president, or town chairman candidates for the paid poll worker jobs. Aside from this voice in filling these local patronage jobs, the county committees participate in the selection of party poll challengers and county canvassers.¹⁶ The statutes also give the state central committee two special duties: the choosing of presidential electors and the selecting of alternates for the delegates to the national party convention.¹⁷ Finally, all statutory committees possess the power to fill any vacancies on the party ticket that occur between the primary and the general election in their respective jurisdictions.¹⁸

The voluntary committee organizations of both parties within recent years have taken the initiative in reviving dormant or defunct county statutory committees. Their procedure simply requires loyal voluntary committee workers to file nomination papers as candidates for the precinct posts. Quite frequently their election is not contested, and even if the voluntary committee member fails to file papers, a write-in campaign to deliver a handful of votes is usually sufficient to elect. After the primary the precinct committeemen elected meet to choose a chairman, who often is an officer in the voluntary organization. The committee may then appoint precinct committeemen to fill the vacancies in those precincts where no committeeman was elected.¹⁹ In this way the county voluntary committee assures its control of the statutory committee's appointments to fill poll jobs and postprimary vacancies on the ticket.

The plan, however, has worked less smoothly in operation than in theory. Many county organizations in both parties have failed to resuscitate the statutory committees; in the press of regular party campaign activities the project was shunted into the background. Furthermore, an attempt to "annex" the

¹⁶ Wisconsin, *Statutes*, 1953, Ch. 6.32, 6.31, and 6.61.

¹⁷ *Ibid.*, Ch. 5.36 (1) and 5.37 (5).

¹⁸ *Ibid.*, Ch. 5.18.

¹⁹ Traditional as it is, such action has no legal authorization. The attorney general in 1934 expressed an opinion that the committee could fill only those positions where originally a committeeman had been elected. *Opinions*, Vol. 23 (1934), pp. 709-11.

statutory committee may meet the opposition of the incumbent precinct committeemen, to whom the position is important for its little prestige and power in dispensing poll patronage. The problem is particularly acute within the Democratic party. The DPW, only six years old, still faces in some counties the opposition of the old-time Democrats who have clung to the statutory committees as a final stronghold. In at least one county the local Democratic statutory committee has won the contest for power from the county DPW unit, has dominated the DPW, and has functioned as the Democratic party in the county.

The effectiveness of these attempts to activate the county statutory committees has been less than overwhelming. In 1948 only 55 per cent of the Republican and 27 per cent of the Democratic precinct positions were filled at the primary. The totals for 1952 are similar—62 per cent for the Republicans and 25 per cent for the Democrats.²⁰ In some of the counties where voluntary committee members represent a majority on the statutory committee, they have made no attempt to fill vacancies. Generally, the statutory committees are in voluntary committee hands within both parties, but there are a few counties where the voluntary and statutory committees within a party are at war. Small jealousies or ambitions may thereby split the party within a county.

In an attempt to coordinate this dual organization, the RPW constitution provides that the county statutory chairman be given an *ex officio* vice-chairmanship in each Republican county voluntary organization. But coordination through overlapping officeholding goes further in practice, within both Republican and Democratic ranks. In some of the counties where the Republican statutory committee is completely organized, the voluntary committee has used it as a block and precinct arm of the voluntary committee for canvassing, distributing literature, circulating nomination papers, and turning out the vote.

One index of the fate of the county statutory committees is the growing frequency with which the county voluntary committees are assuming their statutory duties. In several instances chairmen of RPW and DPW county units report that they, rather than the statutory chairmen, have made recommendations for the selection of poll workers. In one county several years ago the RPW unit named a replacement to fill a post-primary vacancy on the party ticket. County voluntary chairmen have also filled vacancies on the statutory committees. In other instances, statutory committees are merely polled by phone to ratify voluntary committee decisions on poll workers or vacancies.

As for the maze of assembly, state senatorial, and congressional district committees outlined in the primary law, none exist at present, and it is improbable that they ever did exist. Wisconsin party leaders, at least, claim no knowledge or memory of them. In the case of a post-primary death of a candidate, the county statutory committees in the district would have to be alerted to send delegates to form the appropriate committee within a few days. The RPW, faced a few years ago with the death of a legislative candidate after the primary, had to do exactly that.

The state central committees of both parties are organized but inactive. Nei-

²⁰ John Wyngaard, *Green Bay Press-Gazette*, Jan. 29, 1949, is the source for the 1948 figures; the 1952 totals are official party estimates.

ther party's voluntary organization makes any concerted effort to influence the statutory convention's selection of a state central committee—doubtless a reflection of their confidence in the friendliness of the nominees that make up the conventions. The two central committees thus chosen meet only to carry out their duties, aided by the audible promptings of the voluntary committees. Some members of the two central committees regard their duties seriously, but most of them accept the position lightly and consider that their chief duty is to keep the committee inactive.

So completely have the voluntary committees pushed the state central committees out of any active role in party affairs that neither committee received or spent a cent in the 1952 elections. In fact, from 1948 through 1952 the Democratic state central committee made expenditures only in 1950, and then the \$2,900 disbursed went for voluntary committee activities. The Republican state central committee has reported no receipts or expenditures since 1946.²¹

Just as both voluntary organizations occasionally face a tiff with an obstreperous county statutory committee, they are also periodically troubled by unexpected independence on the part of the state central committee. In mid-1952 the Republican state central committee rejected by only one vote a proposal to use its discretion in appointing alternates for the delegates to the national convention, instead of ratifying the choices of the RPW and the delegates themselves. The threat became a deed within the Democratic party, however. The party's state central committee refused in 1952 to choose all alternates from the DPW lists, choosing instead one old-line Democrat known to be vocally hostile to the DPW.

These periodic minor revolts indicate the danger the parties face in maintaining the present dual organization. Perfect coordination and harmony are impossible, leaving the statutory organs as inviting positions to which the discontented or ambitious can retreat to harass and embarrass the voluntary committees.

IV. THE SEARCH FOR PARTY RESPONSIBILITY

At the time of their founding both voluntary committees represented efforts to reorient the parties ideologically, and as they remained in existence they became devices for insuring party responsibility to these ideologies. The "responsibility" they sought was responsibility defined in terms of stating ideological principles clearly and unequivocally, working for the election of men loyal to the stated principles, and assuring that their elected members would carry the principles into public policy. As small, homogeneous groups, both of the voluntary committees enjoyed at their founding a high level of agreement on aims and policies, and by maintaining these homogeneous voluntary committees they hoped to achieve a greater party responsibility. As political organizations the voluntary committees offered greater potentialities than the statutory organizations for developing the discipline, control, and consensus essential to party responsibility.

²¹ These figures on receipts and expenditures are taken from the reports filed with the secretary of state.

The Republicans of the RPW, the majority party in Wisconsin since 1938, are, however, less able today to speak their principles in a single, clear voice than they were in 1925. Since the cohesion of the RPW rests on agreement on social and economic individualism, it has been unable to gain agreement on such additional issues as prohibition, foreign policy, and legislative reapportionment. Opportunities for political success also induced the party to temper party stands for wider vote appeal. Republican leaders and candidates differed, too; the party nominees often framed a statutory platform at odds with the voluntary committee platform.

At the next step, that of selecting candidates, the Republicans have used the pre-primary endorsement. Many party leaders view endorsement as the party's great weapon in the fight for responsibility. They see it as a process wherein the party faithful can come together to select future officials loyal to the party creed and to weigh the stewardship of incumbents before according them another endorsement. And once it has placed loyal party followers in office, the party can be confident that the office-holders will be guided by party policy. The value of such a theory, they emphasize, is that in placing loyal men in office, it frees the party of the necessity to supervise their performance while in office.

But in reality endorsement is inoperative at the county level where state legislators are chosen. Some informal endorsement is the rule at the local level, however, and it has some effect without formally committing the party and its resources. At the state-wide level, endorsement has succeeded in averting primary races by discouraging other candidates. It has been a poor weapon with which to purge incumbents, because of the reluctance of party conventions to deny them endorsement, and because of the vote-getting power of a known political name. But even though it may fail to unseat a maverick office-holder, endorsement may achieve some sanction merely as a threat. No candidate, incumbent or not, is eager to fight the fully-marshalled resources of organized Wisconsin Republicanism.

Once the Republican candidates are elected and in office, the party still finds it difficult to insure that the officers will carry party principles into public policy. The relationship between the Wisconsin governors and the RPW has in the past often been cool, if not openly hostile. The governors, men of independent means, have not had to rely on the party for campaign aid and have traditionally tried to make a wider appeal than the party. Their independent appointments and legislative programs have frequently angered party officials. Nor has the party any sanctions at its disposal in its dealings with the state legislators. The party has virtually no state patronage to dispense, and party campaign help is not so great that the legislators cannot get along without it. And since the county organizations are in effect campaign committees and do not operate effectively throughout the year, the party cannot expect them to maintain any contact with their legislators.

In the five years it has controlled the Democratic party, the DPW has failed to achieve state-wide victory.²² The voluntary organization has remained the

²² In 1948, however, a Democrat was elected attorney general.

same homogeneous group that founded it, and is able, therefore, to enunciate a relatively clear and unequivocal program. It has likewise often been able to reach an informal agreement on candidates, despite its rejection of formal pre-primary endorsements. Such informal endorsements involve the support of individuals and leaders within the party, rather than the endorsement of the party itself. The DPW has, in short, remained an ideologically oriented party, more reluctant than the RPW to begin the pragmatic compromising for victory, so long a part of the American political tradition.

Thus far, Wisconsin experience with party responsibility is thoroughly within the pattern described throughout the literature on political parties. The parties seem unable to state a consistent party creed and enact a consistent program of legislation, and the classic reasons for party weakness—the need for compromise and decentralization—offer the explanation. And in Wisconsin the problem of party discipline is compounded by the lingering LaFollette tradition of suspicion of strong parties and strong party leadership. Pre-primary endorsements and party discipline in the legislature evoke for many the hated symbol of smoke-filled rooms and “bossism” triumphant.

Rising above all of the decentralizing forces in both voluntary committees is a great unifier—the common ideology. Party leaders in both parties share a common ideological allegiance that makes of them a homogeneous leadership group within each party. And it is this unity that the voluntary committees provide so much better than the statutory organization could. Motivated by a loyalty to principles, the party leaders are commonly serving without anticipation of personal gain from patronage or election to office. The common ideology, therefore, provides a common goal, binds the various levels of the party together, and makes for a certain degree of centralization. To the extent that this unified party outlook fosters like-thinking party candidates, the ideology works toward a party responsibility. And the loyalty that springs from this affinity of principle needs no constant prompting or cultivation for its effectiveness.

Wisconsin experience, therefore, indicates that strong ideological orientation has its place within the pragmatic American parties. By serving as an internal, intra-party cohesive force, binding and integrating the various levels and representatives of the party, it offsets the factors at work dividing the parties. It succeeds in giving them an internal discipline and unity they might not otherwise have, and which the parties would find difficult to cultivate in the statutory organization. Two further observations must, however, be made. Since the ideologies to which party workers are loyal are defined largely in terms of national politics, the ideological bond has a paramount disadvantage in distracting the attention of the Wisconsin parties from state issues and government. One cannot escape the conclusion that many leaders of both parties look on the Wisconsin parties primarily as instruments for winning national elections. Secondly, such an internal ideological bond may be easier to achieve in the small area of a single state than in the entire country.

To be sure, the aims of such a homogeneous, ideological party leadership conflict (especially within the RPW) with the pragmatic needs of the party to build majority support through compromise. But many of these men have learned

that compromise is vital to victory, and that as far as victory is concerned, half a loaf is better than none. Many Republicans oppose a sales tax, for instance, not for its economic effect, which they might welcome ideologically, but for its political effect, which might cost the party political power. So, within the framework of their ideology, these men have learned to be political realists. They are uneasy pragmatists, and their dogmatism occasionally flashes to the surface, but their political success attests to their political skill.

V. CONCLUSION

The statutory party apparatus created and controlled by Wisconsin laws is at best an awkward, inflexible vehicle for party operation. It resists change in party leadership and orientation; it is an ineffective organization for political campaigning and expenditures; and it is ill-suited to the development of a unified and responsible party nucleus. In their struggle to operate successfully, the Wisconsin parties have thrown this statutory organization aside and perfected a voluntary organization that better fills their needs. Through the voluntary committees they have fostered an internal homogeneity and consensus which has contributed to a greater degree of party responsibility and has avoided the regulations and rigidities of the statutory machinery.

In their attempts to regulate the organization and activities of political parties, the states have grossly underestimated the parties' capacity for adjustment to new conditions. Their legislation has been based on the false view of parties as formal, pyramided organizations, with clear lines of authority and responsibility. But with an almost chameleon-like ability, parties adapt themselves to new external regulation or internal pressure. The real, working organization—rarely coincidental with the formal one—builds up in response to and approximates the power structure of the moment. Unofficial "bosses" and leaders, private organizations, and truncated lines of authority all bespeak this adaptability of American parties. It is through this flexibility that the parties elude so much of the regulation imposed upon them.

It is interesting to note that in their response to these problems the Wisconsin parties have effected an organization very similar to that which existed in the state before the primary law. It was an organization that grew out of caucuses and conventions, in which the party could choose its own personnel and nominees, and in which the party was subject to the minimum of control. The parties often indulged in undesirable practices then, but they did operate freely, effectively, and with considerable strength. Under the primary law and the statutory party structure growing out of it, the parties have developed the voluntary committees to recapture this type of party organization. The parties in Wisconsin cannot operate satisfactorily within the statutory apparatus, the primary law, and the expenditures limitations as they exist today. Necessity dictates that much. And yet they cannot make the statutes more hospitable or abolish the statutory organization. Political mythology rules out these alternatives. In response to this dilemma, the Wisconsin parties have maintained a dual structure to satisfy the conflicting aims of party strength and party control. The statutory organization honors tradition, and the voluntary organization serves necessity.

THE POLITICS OF COLLECTIVE BARGAINING: THE POSTWAR RECORD IN STEEL

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The postwar record of collective bargaining in the steel industry is both important and unique. It is important because steel is a traditional "pattern-setter" for large segments of American industry. The key bargains which are negotiated in this industry establish the benchmarks for the negotiations among thousands of employers and their unions, and the relationships between "Big Steel" and the United Steelworkers of America have a profound influence on the whole industrial relations climate of America. Everyone is concerned with the outcome of steel's bargains—unions, employees, companies, the public, and particularly the government.

The record is unique by virtue of the extent of government involvement in collective bargaining matters in this industry. Since the end of the war, there have been three nation-wide steel strikes. The first, in 1946, lasted about three weeks; the second, in 1949, went on for over a month; and the third, in 1952, kept the industry at a standstill for fifty-five days. In all three cases the government was a principal party in the dispute. In other industries bargaining is normally a bipartite process of accommodation between unions and employers; in steel, in critical periods there has been a tripartite process of negotiation among the Steelworkers' Union, the big steel corporations, and the government.

What then are the forces which have shaped this peculiar kind of collective relations in the steel industry? Is the tripartite kind of negotiation inevitable in steel or can it be looked upon simply as a temporary stage in the development of the relationships in that industry? These are the questions which we shall attempt to answer in this article.

The main collective bargaining issues in steel were in general the same as those in other mass production industries: wages, pensions and insurances, production standards, job evaluation and incentives, and related matters. Moreover, the disposition of most of these issues has been roughly the same in steel as in other industries. In this respect there is nothing unusual about steel's postwar bargaining history. In our judgment, the explanation for the strikes in 1946, 1949, and 1952 lies in the role of the government rather than in any "abnormal" characteristics of the leaders of the companies and the Union or in any particularly thorny collective bargaining issues. Our central thesis rests on the following generalizations:

First, in all three cases the government took the position that an industry-wide strike would immediately endanger the national health, safety, or interest. In

each case the White House intervened to prevent a shutdown, and in each case it delayed a strike, but failed to prevent it.

Second, in all three controversies, the Union for practical purposes became dependent upon some sort of support from the White House to achieve its bargaining objectives. During this period, the Union was aligned politically with the Democratic Administration. The steel corporations throughout this period were aligned with those forces that vigorously opposed the economic and labor policies of the White House.

Third, as a consequence, the critical questions in all three controversies were more related to matters of public policy on key issues than to immediate issues of wages and conditions of employment of steel workers.

We shall proceed to support these generalizations by a brief examination of the record of bargaining in steel from 1945 through 1952.

I. THE STEEL CRISIS OF 1945-46

The first round of bargaining in late 1945 and early 1946 was carried on within the context of postwar wage and price controls. At this time the Administration was attempting to follow a policy of "flexible" wage controls while holding the line on prices. Specifically, the policy was to permit wage increases if they could be granted without necessitating increases in ceiling product prices.¹ In October, 1945 the Union asked the companies for a 25 cent per hour general wage increase. This the companies rejected on the grounds that the government's ceiling prices on steel products did not enable the industry to grant such an increase. The Union then proceeded with plans to call a strike. The companies maintained that collective bargaining was futile unless "substantial price increases," approximately \$7 per ton for carbon steel, were allowed. The President delayed the strike by appointing a public fact-finding board on December 31 which reported shortly that the issues had been narrowed to a 15 cent offer by the company and a 19½ cent floor by the unions. In an effort to break the deadlock, the President recommended an 18½ cent wage increase. The companies rejected the recommendation, and the industry-wide strike commenced on January 21. On February 15, the companies agreed to the 18½ cent wage increase following an executive order by the President granting the industry a \$5 per ton increase in carbon steel prices.

¹ The new policy on wage and price controls was set forth in the President's statement of August 16, 1945 and in Executive Order No. 9599, dated August 16, 1945. The President's statement read in part as follows: "The stabilization act is effective until June 30, 1946. During its continuance wage adjustments which might affect prices must continue to be subject to stabilization controls. With the ending of war production, however, there is no longer any threat of an inflationary bidding up of wage rates by competition in a short labor market. I am therefore authorizing the War Labor Board to release proposed voluntary wage increases from the necessity of approval upon condition that they will not be used in whole or in part as the basis for seeking an increase in price ceilings. Proposed wage increases requiring price relief must continue to be passed upon by the Board." Executive Order No. 9599 specified the guiding principles to be followed by the stabilization agencies in administering this policy. See Report of the National Wage Stabilization Board (Washington, D.C., 1947), p. 25.

The really critical question here was the government's wage absorption policy in price control. Throughout the war, the Administration had been fairly successful in maintaining this position as far as steel was concerned. In 1941, after the Union had negotiated a 10 cent per hour raise, the government promptly froze steel prices to prevent the companies from passing on the raise in price increases.² Although the industry did not protest at first, it soon established a committee to press for price increases in some areas, and the pressure for price relief steadily increased throughout the war, reaching a climax in 1945.

In the so-called "little steel case" of 1942, the government allowed a 5½ cent general wage increase without granting any price increases. Again in 1944 fringe benefits were allowed without any change in prices, despite mounting pressure from the industry. In January and again in May of 1945 some increases in steel prices were permitted which were looked upon by the industry as "too little and too late." The Chairman of the Board of U. S. Steel stated that "the price increases authorized by the OPA in May represented an overall increase in the average price of carbon steel products of \$1.50 per ton . . . while costs have increased at least \$3.00 per ton since the price was frozen some months before the war."³

Thus, after V-J Day, the industry was determined to have the lid taken off steel prices. The Union was equally determined to get a wage raise to offset the expected drop in steelworkers' earnings which would result from cut-backs in working hours and overtime. The Administration stood for wage increases with no retreat from established price ceilings. In the face of the Union's demands, the OPA announced in November, 1945 that there was no cause for a general increase in steel prices at that time.⁴

Obviously, it was impossible for the Union and the companies to bargain among themselves in this kind of situation. In order to achieve its wage objectives, the Union needed both an authorization and a recommendation from the government. In effect, it bargained successfully with the White House for an acceptable recommendation, but when this was rejected by the industry, it

² "In these circumstances, Leon Henderson, then director of the Office of Price Stabilization, came to the firm conclusion that the 1941 wage increases, as a matter of public policy, should not be passed along into higher steel prices. Furthermore, he concluded that the best way to avert the danger and to insure some stability of steel prices in the immediate future was to issue an order which would provide a clean-cut freeze on steel prices on the then existing level." Addison T. Cutler, "Price Control in Steel," in *Studies in Industrial Price Control*, Historical Reports on War Administration, General Publication No. 6 (Washington, D.C., 1947).

³ *New York Times*, August 1, 1945.

⁴ "The [OPA] Administrator remained firm in his conviction that this was not the time to raise steel prices. It had, however, become necessary to take a public position on the matter. Accordingly, a short, but significant press release was issued on November 23, quoting Price Administrator Bowles to the effect that OPA finds 'no cause at this time for a general increase in steel prices' but promising that the situation would be reviewed promptly and carefully when the next financial returns of the steel companies were submitted after January 1, 1946." Cutler, *op. cit.*, p. 65.

had no other recourse than to proceed with the strike. The White House was then faced with a difficult choice: it could ask the Union to take less than its own recommendation, attempt to force the industry to accept the 18½ cent package, or repudiate its wage absorption policy in price stabilization. As the pressure mounted, this last procedure proved to be the only expedient means of resolving the crisis.

In retrospect, the forces leading to the 1946 crisis seem quite clear. The Union, after nearly five years of wage regulation during the war, was pressing for substantial wage increases with the moral support of the White House.⁵ The companies were seeking price relief through either the elimination or relaxation of controls but faced opposition from the Administration. The issue was forced by an industry-wide steel strike which was presumed to impair seriously the national health, safety, and welfare. In order to settle the strike, which it had diligently but unsuccessfully sought to prevent, the Administration found it necessary to repudiate its postwar stabilization policy. This marked the beginning of the end of wage and price controls.⁶

The steel dispute of 1946 served the political function of shifting the Administration's wage-price policy. What in this case was not accomplished through the normal administrative or political decision-making processes, was brought about by pressure generated both by the Union and the industry and directed at the White House itself. What neither Congress nor the Administration was able to decide without these pressures, the picket line and the threat of a steel shortage did—and the nation's postwar stabilization policies were thereby punctured.

II. THE STEEL STRIKE OF 1949

In 1947 the Union negotiated a new agreement with the steel corporations which included a 15 cent "wage package," continuance of the maintenance-of-

⁵ Actually, there was more than moral support of the White House, since the Administration's wage policy clearly favored wage gains. In a statement on October 30, 1945, the President said: "While the position of different industries varies greatly, there is room in the existing price structure for business as a whole to grant increase in wage rates. . . . Wage increases are . . . imperative—to cushion the shock to our workers, to sustain adequate purchasing power and to raise the national income." Report of the National Wage Stabilization Board, 1947, p. 27.

⁶ The breakdown in the Administration's postwar wage-price policy came in three stages. The first was the February 14 intervention in the steel case, which was followed by parallel wage and price adjustments throughout manufacturing industries. The second was the temporary suspension of controls in July, following the failure of Congress to renew controls at the expiration of the old Price Control Act on June 30. When the new controls act became effective July 26, 1946 it was weaker than its predecessor, but meanwhile the period of rapid open inflation had started. The third stage was the President's announcement of the suspension of price ceilings on nearly all commodities November 9, 1946. At the same time, wage and salary controls were formally terminated. This third step was somewhat like locking the barn after the horse got out, since meat controls had been suspended a month earlier, resulting in widespread price increases, and the congressional elections of the week preceding November 9 had elected a Republican majority in the 80th Congress—bent on redressing the balance of labor's influence over the nation's economy.

membership clause, and other rather important contract terms. By this time all wage and price controls had been officially terminated. Prices and the cost of living were rising. According to their well-established custom, the steel companies raised product prices immediately following the wage settlement. This action brought forth criticism and investigations from Administration spokesmen and even from some Republicans, but, of course, the Administration could do nothing about it since there were no legal grounds for intervention.

In 1948 the steel contracts were re-openable on wages, but under the terms of the agreement the Union could not strike in the event of failure of the parties to agree. Being sensitive to the political criticism resulting from price increases, U. S. Steel proposed a policy of no wage increase to the Union, and made some minor price reductions as a gesture to stop the inflation resulting from the wage-price spiral. Although the Union was furious at this gesture, it had no choice but to accede to it. Later in the year when other major mass production industries negotiated wage increases with their unions, the steel companies voluntarily negotiated a 13 cent increase. Four days later, U. S. Steel raised its prices an average of 9.6 per cent, and again the Administration along with Democratic members of Congress voiced vehement criticism.⁷ In both 1947 and 1948, therefore, the Administration, though highly critical of the policies of the steel companies, was able to stay out of the negotiations. In these two years there was free and direct bargaining between the Union and the steel companies.

In the fourth round of 1949, however, the White House was again a major participant in the bargaining. The negotiations between the Union and the companies started during what proved to be a temporary slump in the demand for steel. The Union requested wage increases, company-financed pensions, and other social insurances. The companies rejected both the wage and pension demands and made a token offer on social insurances. The Union then planned to strike the major companies. In order to avert a major steel shutdown, the White House intervened. It got agreement from the Union to postpone the strike pending investigation by a Presidential Fact-Finding Board which would have power to recommend a fair and equitable solution of the dispute. Pressure was then put upon the corporations to agree to this procedure. The Presidential Fact-Finding Board held extensive public hearings in which each side hired experts not only to present its particular side of the controversy, but also to make its case appear to be in accord with the public interest. The Board, which was primarily concerned with averting a strike, recommended that the companies agree to company-financed pensions and insurance programs. These recommendations were satisfactory to the Union, but the companies refused to accept them. A nationwide steel strike of 30-40 days followed. The

⁷ See letters of Senator O'Mahoney in *New York Times*, July 30, 1948, p. 16, and August 14, 1948, p. 12; statement of Senator McGrath, *New York Times*, July 29, 1948, p. 13; Representative Spruce, *New York Times*, August 3, p. 1; and President Truman's remarks on steel prices, *New York Times*, January 28, 1949, p. 25.

deadlock was finally broken by the Bethlehem Steel Company, which agreed to a settlement similar to, though not identical with, the proposals of the Presidential Fact-Finding Board. The other steel companies fell into line one by one over a period of two weeks.

Again in the strike of 1949 the really critical issues were political, just as they had been in 1946, but the nature of these political issues was quite different. In 1947 the Taft-Hartley Law had been passed by Congress, over the veto of the President. Among other things, Taft-Hartley established a procedure for government intervention in peacetime emergency disputes. It empowered the President to determine the existence of an emergency, to appoint a fact-finding board *without* power to make recommendations, and to get an injunction against a strike for 80 days. Industry, including Steel, had been aligned with anti-administration congressmen and senators in support of legislation of this kind.⁸ Organized labor, including the officers of the United Steelworkers, were naturally aligned with the White House, the Administration, and Democratic forces in Congress in vehement opposition to it. In 1948, organized labor in general, and the officers of the Steelworkers Union in particular, strongly supported Truman and the Democrats in the national presidential election. Obviously, the White House would be reluctant to use the Taft-Hartley Law in a dispute against labor, particularly if vital interests of the Steelworkers were involved.

Yet the White House viewed with alarm the prospect of a nation-wide steel strike in the early summer of 1949. Quite logically, therefore, it cast about for a procedure of intervening to prevent a steel crisis which would make it unnecessary to use this law that unions had labelled a slave labor law. Its attempt to revise the Taft-Hartley Act had failed.⁹ The development of an "administrative alternative" to use of the Taft-Hartley emergency disputes procedure thus became a central objective of the Administration's labor policy.

The "administrative alternative" in 1949 was the *ad hoc* Presidential Steel Board with powers to investigate the dispute and to make recommendations. This procedure was obviously acceptable to the Steelworkers Union. In the

⁸ "Charges were even made that the Taft-Hartley Law had been written before the termination of committee hearings in the House, where it was introduced in April, 1947. It was also charged that the House version of the bill was 'written with the help of' prominent employer and industry spokesmen. Such allegations were made from the first days of the debate and continued even after the final conference measure was passed over the President's veto. . . . It was said also that, no matter what one could say about who wrote it, comparison of the bill with the 1946 legislative proposals of the NAM showed amazing similarities." Harry A. Millis and Emily Clark Brown, *From the Wagner Act to Taft-Hartley: A Study of National Labor Policy and Labor Relations* (Chicago, 1950), p. 370.

⁹ Ironically, on June 28, seventeen days before the date of the threatened strike, the Administration's bill to repeal the Taft-Hartley Act was defeated in the Senate, on an amendment dealing with the President's powers to cope with emergency disputes. The Administration's bill (S.249, 81st Cong., 2nd sess.) provided a procedure much like that of the Railway Labor Act, with a fact-finding board with power to make recommendations, and no injunction on the union. An assault of amendments to this bill finally left it with only its first paragraphs, the Taft-Hartley Act having been amended into it completely. It was never brought to vote because of the certainty of a presidential veto. *Congressional Record*, Vol. 95, June 28, 1949.

spring of 1949 the Steelworkers were not anxious to strike in view of the apparent recession in production and employment in the industry. In negotiations, the companies had offered the Union virtually nothing. An *ad hoc* board charged with finding a formula to prevent a strike could be expected to come up with a recommendation somewhere between the rather substantial demands of the Union and the very meager offer of the companies. At best the companies would accept the board's recommendations, and thus the Union would win substantial concessions without a strike. At worst, the companies would reject the recommendations, but then the bargaining power of the Union and its position before the bar of public opinion would be greatly enhanced.

The reasons why the steel companies went along with this procedure are much harder to divine. Our contact with some steel executives at the time indicated that they were surely aware of the pitfalls for them in this procedure. Two factors, however, may offer a partial explanation. First, they had been under criticism for some time for their price raises following wage increases, and they were fully aware that the White House would attempt to mobilize public opinion against them if they refused to submit their case to review by a public board. Second, what appeared to be a united front against the procedure by the larger steel corporations was apparently frustrated by some of the smaller and financially weaker companies who, with a particularly strong desire to avoid a strike, indicated that they would accept the White House offer. At any rate, the steel companies accepted, and in forthcoming weeks were chided by the National Association of Manufacturers, and in fact even indulged in public self-denunciation for ever having submitted to this kind of governmental intervention.¹⁰

Whereas the Union accepted the Board's recommendations, the companies were indignant and refused to accept these "government dictated" terms. Indeed, some of the companies hoped that the White House would now be forced to invoke the Taft-Hartley Act during the ensuing steel strike, and that this might strike a blow at the Union's political alignment with the Administration. The President, however, made it clear that he was in no hurry to declare that an emergency existed which would require this action.¹¹ Finally, the Bethlehem Steel Corporation, without consultation with the other companies, negoti-

¹⁰ The *New York Times* reported a letter made public by Earl Bunting, NAM Managing Director, sent to 15,000 NAM members, saying that he and other "officers and staff" of the NAM "regretted that steel management had agreed to take part in the panel hearings." Several of the steel executives appearing before the Presidential Fact-Finding Board in New York City attacked the Board as politically inspired, or flatly challenged the legality of the Board on the ground that the Taft-Hartley Act was designed by Congress for handling emergency disputes. See statement of Clarence Randall, President of Inland Steel Company, *New York Times*, August 12, 1949, and statement of Arthur B. Homer, President of Bethlehem Steel Corporation, *New York Times*, August 17, 1949.

¹¹ At a press conference on October 27, 1949, after the steel strike had been in progress for over three weeks, Mr. Truman was reported to have said: "A national emergency in coal and steel is a long way off." The *New York Times* reported that "he was firm and emphatic in his views in his news conference that he would not use the Taft-Hartley Law's emergency dispute provisions unless and until there was an emergency." *New York Times*, October 28, 1949.

ated a settlement with the Union which, to the Steelworkers, was just about as satisfactory as the original recommendations of the Board.¹² The other companies soon gave up the fight and negotiated roughly similar agreements within another two weeks.

It is obvious that political factors were crucial in this controversy. At the same time, the Administration felt it had received a mandate from the American worker in the 1948 elections to rid the country of the Taft-Hartley law, and laid the blame for the postwar inflation on the machinations of "big business." In the spring of 1949, prior to the intervention of the White House, the Union was in a weak bargaining position. The companies, fully aware that it would be difficult to raise prices at a time when the demand for steel was falling off sharply, were prepared to take a strike. Furthermore, in the mass production industries the Steelworkers Union was attempting to initiate company-financed pensions and was not merely trying to match the gains of their sister unions in the automotive and electrical manufacturing field. There can be no doubt that the recommendations of the Board increased the bargaining power of the Union substantially, and in our judgment the gains for the steelworkers would have been much less if the White House had decided not to intervene when the strike was first threatened. The 1949 strike in steel dealt with two policy questions. First, it settled for all practical purposes the question of the bargainability of pensions in the steel industry. Second, it deflected the drive for the exclusive use of the Taft-Hartley Act in nationwide emergency strikes, establishing a precedent for the alternative procedure incorporated into the powers of the Wage Stabilization Board of 1951. Both factors contributed to the Union's victory in 1949. This the steel corporations knew full well, and they did not forget the circumstances surrounding the 1949 controversy when they came to grips with the next and greatest crisis of 1952.

III. THE STEEL CRISIS OF 1952

The steel contracts were openable on wages only a year hence when it was time for the fifth-round negotiations at the end of 1950. The Union negotiated a 16 cents per hour wage settlement, following which the industry promptly announced the customary increase in prices, this time averaging about 5½ per cent. Though there were again voices of protest raised by the Administration and Democratic members of Congress,¹³ both the Steelworkers and the companies

¹² The President's Fact-Finding Board had recommended a non-contributory pension plan costing about 6¢ per hour, and a non-contributory social insurance plan costing about 4¢ per hour. The Bethlehem Steel Corporation settled with the union on a pension plan, non-contributory, costing about 7¢ per hour, and a social insurance plan costing about 5¢ per hour, shared equally by employer and employees.

¹³ Senator Joseph O'Mahoney was most outspoken in stating that the steel price rise was excessive. But in response to an inquiry by the *New York Times*, other Administration spokesmen were less critical. "The steel industry was reportedly given assurance in Washington that it would not be subject to criticism at this time for its price increase if it showed good faith in absorbing a large percentage of its higher costs and by holding its price rise in moderation." *New York Times*, December 3, 1950.

were anxious to get wages and prices up before controls were again inaugurated. Under these conditions, free and direct union-management bargaining was quite expedient. The 1950 wage settlement ran until the end of 1951.

It soon became apparent, however, that in the sixth round the government would play the decisive role in negotiations. Government wage and price controls were instituted early in the winter of 1951. The Wage Stabilization Board, as re-established by executive order in April, had broad powers to investigate both economic and non-economic issues in disputes which might threaten an interruption of work affecting the national defense. This Board was also empowered to make recommendations to the parties on all issues involved. Thus, the White House had its "administrative alternative" to the Taft-Hartley Act long before the steel crisis developed.¹⁴

The steel contracts expired on December 31, 1951, so that all issues, economic as well as non-economic, were open. The principal requests of the Union, among the more than twenty demands, were wage and fringe concessions total-

¹⁴ Congressional response to the re-establishment of the Wage Stabilization Board by Executive Order 10233, April 22, 1951, was one of suspicion. In both Houses, committees summoned members of the new Board for an accounting of their powers to handle emergency disputes. Congressmen were concerned with the non-statutory basis of the new Board, and its possible "short-circuiting" of the Taft-Hartley law with its emergency disputes procedure for defense industries. In the House, the latter concern was expressed by Representative Lucas during the examination of George W. Taylor, Chairman of the new WSB, before the House Committee on Education and Labor:

"... And we know the President's attitude toward it [the Taft-Hartley Act] too; and is this going to be a means, and the great question is all over the country, is this going to be a means by which the Taft Hartley Act will be evaded?" Hearings before a Subcommittee of the Committee on Education and Labor, House of Representatives, 82nd Cong., 1st sess., pursuant to H.R. 73: *Disputes Functions of the Wage Stabilization Board*, p. 105.

Representative Gwinn concluded similarly:

"... Now what more perfect historical basis could we find for the fact that when you take over a labor dispute in a Wage Stabilization Board that you intend to by-pass the Act?" *Ibid.*, p. 121.

In the Senate, Senator Taft admitted the need for a more flexible procedure to handle emergency disputes during the defense effort, but wanted it to be established by Congress, not by executive order:

"It [the WSB procedure] is not covered by law at all, and now we are considering the Defense Production Act renewal, and if we want to set up this kind of system, Congress ought to set it up and it should not be done by Executive Order. . . . Now I do not say the Taft-Hartley Law is inadequate. It does not make any difference to me whether or not you violate the Taft-Hartley Law; I do not think you do anyway." Hearings before the Subcommittee on Labor and Labor-Management Relations of the Committee on Labor and Public Welfare, United States Senate, 82nd Cong., 1st sess., on *Wage Stabilization and Disputes Program*, p. 19.

Senator Douglas stated the Administration's position clearly:

"... Well, I do not care at all for the Taft-Hartley procedure, so if this is an alternative, I welcome it." *Ibid.*, p. 34.

Those who favored limiting the authority of the Wage Stabilization Board to economic issues introduced in the House the Lucas Amendment to the Defense Production Act of 1951, which would have removed from the WSB its powers to make recommendations in labor disputes. This proposal and its companion, the Kersten Amendment, were defeated.

ling over 30 cents per hour and the union shop. The companies flatly rejected the union shop demand and refused to make a wage offer. It was obvious to both parties that the ultimate resolution of the negotiations would be dependent upon the recommendations of the Wage Stabilization Board and the OPS. Apparently on the theory that the Board would find some way of splitting the difference between the Union's demands and the industry's offer, the companies thought they would serve their interests best by offering nothing in advance of the negotiations with the Board. It was informally admitted on all sides that the existence of the wage and price controls prevented any realistic collective bargaining between the Union and the companies.

The Union planned to call a strike on the date the contracts were to expire. The President put pressure on both parties to submit the dispute to the Wage Stabilization Board, which was directed to investigate the issues and to make "recommendations to the parties as to fair and equitable terms of settlement." The hearings on the dispute were conducted with the usual fanfare of hired experts and voluminous briefs. The public members of the Board, finding that the parties were far apart on nearly all issues in dispute, had the choice of making recommendations acceptable to the Union, acceptable to the companies, or acceptable to neither. They decided to make a recommendation on the economic issues which would be acceptable to the Union and which presumably would also be consistent with the very elastic criteria of wage stabilization. But they wanted to throw the union security issue back to the parties for direct negotiations. It was soon evident that the Steelworkers would accept nothing less than a union shop recommendation. Administration spokesmen made it clear at the time that in their opinion a nation-wide strike in steel would have disastrous consequences on the national defense production program and that it was imperative that a shut-down be avoided. The public members were reluctant, therefore, to propose something which would certainly be rejected by the Union and thus immediately precipitate a strike. Yet, had they reviewed carefully the political issues generated by the 1949 steel crisis, they would have known that the companies would stand firm against any attempt by the Administration to force such recommendations upon the industry. On March 20, however, they recommended a two-year contract providing for a package of general wage increases and fringe benefits which was the most liberal ever offered to or even negotiated by a C.I.O. union.¹⁵ They also recommended that the parties negotiate a union shop clause. The Board, with the industry members dissenting, justified its recommendations mainly on the grounds that the Steelworkers should be permitted to "catch up" with unions in other industries which already had agreed to some kind of union shop and which were ahead of steel in wages and fringe benefits.

The Union immediately accepted the Board's recommendations. The com-

¹⁵ This package consisted of a total wage increase of 17½ cents per hour; reduction of North-South wage differential by five cents; increase in shift differential pay by 2 and 3 cents per hour for second and third shifts; double-time pay for six holidays, and time and a quarter pay for all Sundays worked; and other fringe benefits.

panies at once denounced them and also the government's refusal to allow the price increases which they said were necessary to offset the proposed wage increases. The President gave blanket endorsement to the recommendations of the Board as well as to the initial decision of the stabilization authorities to refuse the price relief demanded by the industry.¹⁶

Attempts by the government to get the parties to settle the dispute by direct bargaining were unsuccessful. The industry offered to meet part of the wage and fringe concessions recommended by the Board, and there were indications that the government would allow the necessary price increases if the industry would go the whole way. But the steel companies were adamant in their opposition to the union shop. The Union, having the unqualified endorsement of President Truman and the Administration, naturally would not agree to settle for anything less than the Board's full recommendations. Since the deadlock could not be broken, a strike was ordered by the Union. On April 9, after the walk-out had already started, the President seized the steel mills and the Union ordered its members to go back to work.

From that point on, the controversy flared up into an open political and legal battle between the White House and the steel industry. President Truman sided squarely with the Steelworkers and verbally blasted the steel industry for trying to get "something special, something nobody else can get." The industry retorted with the charge that the White House decision to seize the mills instead of invoking the Taft-Hartley Act was the result of an "unholy political deal" between the C.I.O. and the Administration.

The strategy of the companies now was to fight the seizure in the courts, to dramatize the President's action as a step toward nationalization of industries by a socialist-minded Administration, to sloganize and surround the union shop issue with symbols of individual freedom, and to force President Truman to invoke the Taft-Hartley Act. The strategy of the Union was to keep the workers on the job and to get the Administration to put the recommendations of the Wage Stabilization Board into effect while the government had control of the mills.

On this political and legal war front, the steel companies won a major battle. The courts ruled that the seizure of the mills was illegal, and in the process prevented the government from giving wage increases to the Steelworkers during the seizure period. The Congress, as well as large segments of the press and public opinion, aligned itself against the Administration's policies in the handling of the steel crisis. After two more months of fruitless waiting, the Union

¹⁶ Charles E. Wilson, as Director of the Office of Defense Mobilization, was considered to have been the negotiator for the steel industry for price relief. With his resignation on March 27, 1952, hopes for a steel price increase at that time were defeated. The industry's original estimate of the cost increase necessary to recoup the cost of the Board's recommendations was \$12 per ton. However, the *New York Times* reported that the industry had brought down its ceiling to \$7.50 a ton early in April in negotiations with officials of the Office of Price Stabilization. The final decision on price was \$5.20 a ton, awarded by OPS the day after the settlement, July 25, 1952.

had no alternative but to plunge itself into a nation-wide steel strike as soon as the Supreme Court ordered the mills returned to their owners.

The Union still insisted on getting everything the Board had recommended, and the companies took the position that they would fight the union shop to the bitter end. They were also hopeful that they could force the White House to invoke the Taft-Hartley Act. The President, however, staunchly refused to take this action.¹⁷

In the struggle that followed, the union shop issue was critical. Indeed, not long after the strike started, the industry had been assured that it would be granted the price relief necessary to compensate it for increases in labor and other costs.¹⁸ Anyone who remembered the position that the White House had taken on steel prices in 1946, 1948, 1949, and 1950 and who understood the political pressures at work in 1952 could have predicted that the Administration would be forced to back down on any attempt to keep the lid on the price of steel. The big steel companies, on the other hand, had a long tradition of unqualified opposition to the union shop. Even after General Motors, long an opponent of "compulsory unionism," negotiated a modified union shop with Walter Reuther in 1950, the steel companies were still determined to resist. Moreover, they were particularly outraged by the attempt of a government board to jam the union shop down their throats. Thus, in our judgment, the resistance of the steel corporations to the union shop was really more than mere opposition to the principle of compulsory union membership. The companies were even more determined to fight the Union—White House political alignment which was attempting to force this on them through government pressure.

Fortunately within the industry and the Union there were men of good will who recognized that the paralyzing steel shutdown would have to be resolved

¹⁷ On June 10, President Truman addressed Congress, requesting powers to seize the steel industry until the industry and the union reached a settlement. At this time he stated: "I do not recommend that the Congress adopt the Taft-Hartley approach. I think it would be unwise, unfair, and quite possibly ineffective. The nation has already had the benefit of whatever could be gained by action under the Taft-Hartley Act. . . . In the steel case the union already, even before April 9, had voluntarily postponed the strike action for ninety-nine days. Insofar as fact-finding and delay are concerned, therefore, the practical effects of the Taft-Hartley Act were achieved in this case some time ago." *New York Times*, June 11, 1945.

¹⁸ John Stephens, Vice President of U.S. Steel Corporation, testifying in 1953 on the proposed amendments to the Taft-Hartley Act, stated: ". . . but I also said that no matter what had happened on prices that the question of compulsory unionism constituted a very substantial barrier to settlement, and, in fact, continued for something like 6 weeks after the economic terms had been completely satisfied by conferences in the White House and in the old State Department Building. . . .

" . . . So, if the Government had decided come December 31 (1951) that the steel prices could have been increased X dollars a ton, there still would not have been any agreement." *Hearings*, before the Committee on Labor and Public Welfare, United States Senate 83rd Cong., 1st sess., on *Proposed Revisions of the Labor Management Relations Act of 1947*, p. 855.

sooner or later by direct negotiations and compromise. After the strike had been in progress for about a month, the Union reached a tentative accord with Bethlehem Steel on a modified union shop arrangement which was somewhat weaker than the General Motors clause. This time, however, the six major steel companies had formed a united front in negotiations. The other five companies refused to accept the Bethlehem version, and, as a consequence, the strike continued for several more weeks while the argument centered about procedural questions which, though perhaps important in principle, were of little consequence in practice. Finally, under pressure from the White House, this time directed against the Union as well as the steel companies, agreement was reached on a provision quite similar to the original Bethlehem formula. It provided for a union shop in practice but not in principle. The union was able to say that this settlement provided "a new foundation for recognition and security," while the companies could argue that in theory it protected the right of every employee to decide for himself whether or not he wished to become or remain a member of the union. The agreement required all new employees to sign application cards for union membership to take effect within thirty days unless revoked by such employees during the last 15 days of the 30-day period following their employment.¹⁹

In practice, very few employees have since taken advantage of the technical escape provisions of this formula. In arguing against this proposal before they finally accepted it, some of the steel managements quite correctly pointed out that the companies would become, in effect, recruiting agents for the Union and that the element of free choice on the part of the worker would be more theoretical than real. The net effect of this provision has been to guarantee the Union nearly 100 per cent membership in every steel plant.

This union security settlement along with the industry's acceptance of most, though not all, of the economic concessions recommended by the Wage Stabilization Board ended the 55-day steel strike. The companies promptly raised steel prices in accordance with previous understandings with Administration officials. This, of course, rendered meaningless any further serious effort on the part of the Administration to hold the line on either wages or prices.

In November, 1952 the Republicans won the national elections. In the same month, Philip Murray, the able and much loved and revered leader of the Steelworkers, passed away. This marked the end of an era of collective relations in steel—an era during which the Union and its great leader had been able to count on the sympathetic and friendly support of the Democratic Administration and the men in the White House. From this time on, the White House could be expected to be aligned with the companies rather than with the Union. This called for a radically new concept and strategy of bargaining in steel.

It is significant to note that there was bi-partite bargaining in 1953 and again in 1954 when all provisions of the contract were open for negotiation. The 1953

¹⁹ Provision is also made for an escape period at the end of the agreement, giving all union members the right to drop membership during the last 15 days of the contract.

- settlement was a direct $8\frac{1}{2}$ cents per hour wage increase. In 1954 the contract provided a package increase of 9 to 10 cents per hour, comprised of a 5 cent direct wage increase and improvements in pension and welfare benefits costing another 4 to 5 cents per hour. In both years, the United Steelworkers of America reached agreement with the United States Steel Corporation without governmental intervention. The pass-through on prices of \$4 a ton in 1953, and an estimated \$4 a ton in 1954, likewise provoked no murmurs from Congress or the Administration.

IV. CONCLUSION

The analysis of collective bargaining presented above leads us to question many widely held beliefs underlying the appropriate role of the government in the area of labor disputes. Indeed, if the experience in the steel industry is any guide, many of the assumptions underlying our past national labor policy are myths which ought to be exploded. What, then, can the history of steel's bargaining from 1945 to 1952 teach us?

First, it should by now be abundantly clear that an industry-wide steel strike does not *immediately* create a threat to the national health, safety, or welfare. The 1946 strike resulted in considerable hardship for workers and employees throughout basic steel as well as throughout the steel processing and fabricating industries, but its overall impact on the nation's economy did not appear to be very great. The 1949 strike had little effect on other industries because inventories of steel were quite high and requirements relatively low. In 1952, the country somehow weathered a 55-day strike during a defense emergency when it was thought that every ton of steel was urgently needed to satisfy military and essential civilian requirements. Without minimizing the actual or possible adverse effects of these strikes on the economy, it is fair to say that their repercussions on the national health, safety, and welfare were in each case much less drastic than the government's ominous predictions.

Second, the record in steel shows that the government may be unable to prevent a strike in peacetime even when it does intervene. In 1946, 1949, and again in 1952 the government, although it succeeded in postponing the shutdowns, failed on all three occasions to prevent strikes. On each occasion, the industry emphatically demonstrated that it would not accept the recommendations of a government board which it felt was either "unfair" or "politically inspired." Thus, the experience in steel does not support the contention that government boards with power to make recommendations are effective instruments for resolving nation-wide steel controversies. In fact, one could argue that the existence of such boards, at least in 1949 and 1952, may have been an important cause of the strikes.

Third, the record in steel demonstrates that the government cannot and should not encourage free collective bargaining and at the same time attempt to enforce wage and price controls. If it becomes necessary to have wage and price controls, then there should be government "seizure" of collective bargaining, as was the case during World War II. In the World War II emergency,

unions promised to abide by the decisions of the government by giving a no-strike pledge, and industry likewise temporarily forfeited its right to upset the government's decisions in the area of price controls. But in the partial emergencies right after World War II and during the Korean crisis, the Administration tried to hold the line on prices and at the same time permitted bargaining on wages and economic issues. Since the Administration had the final word on both wages and prices, the parties obviously were forced to bargain, not among themselves, but with the government. In 1946 and 1952 the result was that the main criterion for wage and price ceilings in steel became *the wage and price levels which would end a steel strike* rather than the levels which would be best from the standpoint of overall economic stabilization. In both cases, the government was forced to repudiate its wage and price stabilization policies. This had the unfortunate consequence not only of destroying the faith of the people in the government's stabilization policy but of undermining their belief in collective bargaining as well.

Fourth, government intervention in a nation-wide steel strike is bound to be critically influenced by broad political considerations. Indeed, collective bargaining in a nationwide basic industry such as steel is bound to take place in an environment both economic and political. As we have shown in the case of the three steel strikes, the bargaining strategy of the Union and the pattern of resistance offered by the companies were clearly molded by the Union's political alignment with the White House and the industry's political alignment with opponents of the Democratic Administration. If a Republican had been in the White House, these political alignments would probably have been different, and the intervention of the White House might have been more favorable to the industry than to the Union. It is unrealistic to expect, however, that the intervention of the government in any future crisis in the steel industry can somehow or other be "impartial."

Fifth, if, as we contend, intervention by the White House in an industry-wide steel dispute really cannot be "impartial," then the side which is likely to have the closest political alignment with the Administration may seek to increase its bargaining power by creating conditions which may call for the intervention of the government. At this point collective bargaining ceases to be a direct process of negotiation between unions and companies; it becomes a tripartite process of negotiation over public policy. In the steel strike of 1949, for example, the appointment by President Truman of a fact-finding board clearly improved the bargaining position of the Union. In a future steel controversy, a decision by another President to invoke the emergency dispute procedures of the Taft-Hartley Act might greatly strengthen the position of the companies. Our argument here is that if the parties know that the government will intervene to prevent an industry-wide strike, the side which has the closest alignment with the White House may favor such a strike.²⁰

²⁰ Despite the political effect of almost any type of White House intervention, particularly in the early stages of an "emergency," it is likewise possible that a "laissez-faire"

Finally, our analysis suggests that in the future the government should not attempt either to postpone or to prevent a threatened industry-wide steel strike except in time of war or comparable national emergency. The policy of the White House should be to make it clear to the parties that it has no intention of immediately intervening in the dispute and that it will refrain from putting pressure on either side to make a settlement. Such a course of action would force the parties to bargain among themselves by removing the chance for either side to improve its position by bringing in the government. It is true that the government might eventually have to intervene if a strike in steel continued for several months. The rationale and method for such intervention lie beyond the scope of this paper. But we contend that if the White House would abandon any attempt to prevent steel strikes through early intervention, very few strikes would actually occur. Indeed, a predetermined hands-off policy on industry-wide steel strikes might conceivably lead the companies to favor a "one-at-a-time" rather than an "all-at-once" procedure of bargaining with the Union. If this were not feasible, the Union might at least follow a policy of pressing one company at a time rather than striking simultaneously all of the major steel producers.²¹ In either case, nation-wide steel strikes which might ultimately endanger the national safety, health, and welfare could be avoided. Thus, the new era of labor-management relations in steel may well be characterized by a return to genuine bipartite collective bargaining which will be better for all concerned than the politicized tripartite collective relations of the past. The direct settlements which were made in the 1953 and 1954 negotiations in steel substantiate this view.

position of the White House could have a considerable impact upon the negotiations, depending, of course, upon the position of the industry, the strength of the union, and the strategy of each at a given time. Such a hands-off policy could itself represent a political position of the Administration.

²¹ That this might become the strategy of the Union in the 1954 negotiations in the absence of a sympathetic Administration is indicated by A. H. Raskin, *New York Times* labor reporter. Such one-at-a-time bargaining "would reduce the general hardship caused by the shutdown and would focus intense competitive pressure upon the strike-bound corporation." *New York Times*, June 23, 1954, p. 14. He further observed that "the attitude of ranking labor officials in Washington was that the threat of a steel strike next week did not call for White House intervention of the type that was customary under Democratic Administrations." *New York Times*, June 24, 1954, p. 18.

STATE COOPERATION IN ENFORCEMENT OF THE FEDERAL WAGE-HOUR LAW

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Our history affords numerous examples of efforts to secure state cooperation in the enforcement of federal laws, especially those marking abrupt changes in national policy. In practice, state cooperation has been most readily forthcoming in the administration of benefactory legislation. Most notably, federal grants-in-aid have been effective in helping to lift the standards of state services in such functional areas as highways, airports, public health, and agricultural technology. In another area, Selective Service has successfully employed local boards to enforce national policy. On the other hand, the Fugitive Slave law, the Civil Rights laws, National Prohibition, and the Emergency Price Control acts are reminders of the difficulties federal authorities have encountered in trying to enlist state aid in enforcement of national regulatory policies uncongenial to local sentiment.¹ This article examines the experience under a permissive provision of the Fair Labor Standards Act, section 11(b), which authorizes the national government to reimburse state agencies aiding in enforcement.² To the author's knowledge, this is the sole example of reimbursement for state aid in enforcing a federal regulatory statute. A companion provision of the act was designed to give local agencies a share in the task of securing compliance. Section 4(b) empowers the Administrator of the Wage and Hour Division, the agency responsible for enforcement, to "establish and utilize such voluntary, regional, local or other agencies, and . . . services, as may from time to time be needed." The sponsors of the Fair Labor Standards Act hoped, and competent academic observers predicted,³ that federal reimbursement of state outlays for enforcement would take the curse off federal policy and turn state ad-

¹ The Eighteenth Amendment and the National Prohibition Act gave concurrent enforcement powers to the states and the national government. Enforcement had already broken down when President Coolidge on May 8, 1926 issued Executive Order No. 4439 directing that "any state, county, or municipal officer may be appointed at a nominal rate of compensation, as prohibition officer of the Treasury Department to enforce the provisions of the National Prohibition Act." The Congress objected strenuously to the President's order and it is a controversial point whether any state, county, or municipal officers were appointed or paid with federal funds. Laurence F. Schmeckebier, *The Bureau of Prohibition* (Washington, 1929), pp. 18 ff.

² 52 U.S. Stat. 1060, Public 718, 75th Cong., 3d sess. (1938). Section 11(b) provided: "With the consent and cooperation of State agencies charged with the administration of State labor laws, the Administrator and the Chief of the Children's Bureau may, for the purpose of carrying out their respective functions under this Act, utilize the services of State and local agencies and their employees and, notwithstanding any other provision of law, may reimburse such State and local agencies and their employees for services rendered for such purpose."

³ Arthur W. Macmahon and John D. Millett, *Federal Administrators: A Biographical Approach to the Problem of Departmental Management* (New York, 1939), p. 417.

ministrators into ready partners. At least some of the advocates of sections 11(b) and 4(b) were aware that if this experimental innovation in the technique of "cooperative federalism" proved successful, there were many other fields of national regulatory policy to which it might be applied.

This is not the place to argue the value-laden questions whether federal-state cooperation is an intrinsically good end, and so worth paying an extra price for, or whether it is merely a sometimes convenient means; and, if it is a good in itself, whether its worth is to be measured chiefly in terms of rationality or consent. Neither does the experience reviewed here furnish sufficient grounds for hazarding a guess on the related question of the ultimate effects of state cooperation, if it can be obtained, on the substance of federal policy. Policy-makers must weigh the advantages of having more shoulders on which to rest the burden against the prospect that those who help shoulder the burden may also come to determine the direction in which it is carried.⁴ The present inquiry is limited to the question why the reimbursement and cooperative provisions did not in fact suffice to produce wider cooperative arrangements.

Three methods are used to enforce the wage-hour law: persuasion, inspection, and litigation. In the main, cooperative efforts were limited to the first two enforcement methods. The child labor provisions of the FLSA evoked the most extensive cooperation. But until 1946 they were administered by a unique agency, the Children's Bureau, and it may be doubted whether that experience is any guide to what may be expected of efforts to carry out the other goals of the statute. This article is accordingly concerned only with cooperation in enforcing minimum and subminimum wages and overtime standards. It will consider (1) the original intent of the advocates of cooperation; (2) the formal impediments to cooperation, such as diversity of federal and state standards and lack of state funds and staff; (3) voluntary cooperation of state labor departments; (4) preparatory federal steps; (5) informal cooperation under section 4(b); (6) cooperation in administering subminimum wages; and (7) formal reimbursable agreements under section 11(b).

I. THE ORIGINAL INTENT OF THE ADVOCATES OF COOPERATION

The diverse motivations of federal and state officials and pressure group spokesmen supporting sections 11(b) and 4(b) probably were responsible in part for later developments—or more accurately, the lack of later developments. The Roosevelt Administration, anxious to accomplish piecemeal the social goals of the National Industrial Recovery Act, as originally introduced, but sensitive to the accusations of administrative inefficiency under the Blue Eagle, supported state cooperation under the FLSA in the belief that decentralization of the inspection process to the states would avoid conflict and breakdown of enforcement.⁵ Congressmen urged the adoption of these sections so as to avoid the waste, confusion, and conflicts of duplicate inspections.

⁴ This is the concept of "cooptation" developed by Philip Selznick in his *TVA and the Grass Roots* (Berkeley, 1949). As defined and analyzed by Selznick, the concept is not entirely relevant to cooperative enforcement under the FLSA.

⁵ Frances Perkins, *The Roosevelt I Knew* (New York, 1946), pp. 246-67.

To the Secretary of Labor, these sections were the culmination of efforts she began in 1934, when she created in the Department of Labor a new unit, the Division of Labor Standards,⁶ to aid the states in improving their labor legislation. The years from then until 1938 had seen a renaissance in the development of state labor legislation. Secretary Perkins intended sections 11(b) and 4(b) to encourage and give direction to this movement by building in the states, with federal aid, stronger staffs of officials who would be influential with their own legislatures.

On the other hand, the Children's Bureau espoused section 11(b) because the experience with the federal child labor law of 1916 suggested that the general acceptance of state-issued employment certificates, as evidence of compliance with some FLSA requirements, would be an effective enforcement technique. Furthermore, section 11(b) authorized expenditure of federal funds to assist backward states to improve certification standards and procedures, thus widening the area for potential cooperation. Following this lead, half a dozen national organizations supported cooperative enforcement for similar reasons.

Several state labor commissioners supported section 11(b) because they thought that the states had not been adequately paid for their assistance in enforcing the provisions of the NRA codes. They wanted to avoid a repetition of that experience under the FLSA. With this splintering of interest among those most concerned, it is perhaps not surprising that after the sections were adopted there was no united pressure on either the Congress or the Wage and Hour Division in behalf of a common plan to put them to work.

II. FORMAL IMPEDIMENTS TO COOPERATION

Everyone involved took it for granted that correspondence between federal and state labor standards was a prerequisite for cooperative enforcement. Yet in 1938 there was still marked diversity in standards. For instance, in spite of substantial progress after 1933, twenty-three states, many of them predominantly agricultural, as yet had no minimum wage laws for women. In the South and Southwest, racial and historical influences impeded the adoption of wage legislation. In these states unions were relatively weak and public interest in labor standards was negligible. Not a single state applied minimum wage legislation to men. None of the state maximum hour laws for either men or women required time and one-half the regular rate for hours beyond the weekly standard. Of the seventeen states with homework laws in 1938, only nine regulated wages. The advocates of cooperative enforcement must have been aware of such discrepancies. Great expectations for future cooperation apparently rested upon the belief that the very considerable rate of progress and standardization in state labor laws achieved after 1933 would continue undiminished.

The fact is, however, that since 1941 not a single state has adopted a minimum wage law. Five states—Connecticut, New York, Massachusetts, New Hampshire, and Rhode Island—have by various provisions significantly broadened the coverage of their laws. Three states—Massachusetts, New Hampshire,

⁶ In 1948 the Division of Labor Standards was elevated to Bureau status.

and Connecticut—have amended their laws to provide for a statutory rate while retaining provision for wage boards. By 1952 five states had issued sixteen orders establishing minimum wages equaling the federal minimum of seventy-five cents an hour. However, a review of state wage orders since 1938 shows that: (1) no new states have extended minimum wage laws to manufacturing; (2) no minimum wage laws have been extended to additional branches of manufacturing; (3) in all but two of the industries classified as nonmanufacturing the number of states with minimum wage orders has increased; and (4) the principal extensions of wage orders have been in four nonmanufacturing industries: amusement and recreation, transportation (intrastate), hospitals (excluding nurses), and agriculture.

Instead of concluding from this record that the diversity between state and federal standards has blocked cooperative enforcement, it may be nearer the mark to question the original assumption, universally accepted in 1938, that correspondence of standards was a necessary prerequisite to cooperation. The evidence thus far is inconclusive, but it does not rule out alternative hypotheses. The Constitution compels a difference in the coverage of state and federal labor laws; but diversity in the standards for those covered has no effect on the number of firms subject to federal jurisdiction which a cooperating state must inspect. Neither does it affect the numerous and complex interpretative questions which arise when the FLSA is applied to roughly twenty-one million employees working in approximately 715,000 establishments. Finally, correspondence in standards does not make it any easier to train state inspectors to apply the FLSA exemptions for the area of production and retail and service establishments, both alien to their experience. Indeed, a state without a minimum wage law might well find it easier to cooperate in enforcing the federal law because there would be no duplicate coverage problems and no possibility that state inspectors would confuse state and federal standards or interpretations. The problems created by the broad coverage of the federal law are probably more perplexing to state administrators and inspectors than are diversities in standards. Judgment on this hypothesis, however, will be reserved until the experience in cooperating states has been reviewed.

Other factors also affected the ability of the states to cooperate. Fiscal support of state departments of labor was frequently sporadic and inadequate. In 1939 the entire nation had not more than one thousand state factory inspectors, and one-fourth of these were employed in a single state.⁷ In the same year only ten states used competitive civil service tests in appointing factory inspectors. "Too frequently, even when not political in the ordinary sense, the state departments of labor . . . [were] used as a means for the polite pensioning of innocuous labor leaders."⁸ State minimum wage laws, once enacted, were frequently held unconstitutional or given restrictive interpretations in the state

⁷ Verne A. Zimmer, "The Interest of the Federal Government in Conserving the Sight of Industrial Workers," Bull. No. 37, U.S. Department of Labor, Division of Labor Standards (Washington, G.P.O., 1940), p. 18.

⁸ Macmahon and Millett, *Federal Administrators*, p. 417.

courts. Enforcement was hampered by inadequate fines and the suspension of fines. The broad coverage of the federal law complicated the interpretative process and the attainment of consistency in enforcement. The FLSA provisions governing coverage and exemptions, working time, overtime, and regular rate of pay, when applied to thousands of establishments with different management practices and accounting procedures, gave rise to complex and "close" questions unfamiliar to state labor inspectors. Another difficulty of which Congress and the executive branch were fully cognizant was the extremely precarious political context in which the FLSA was to be enforced. Daily contacts between inspectors and employers meant frequent opportunities for friction or misunderstanding. Two-thirds of the Division's annual appropriation is spent on inspections; the direct relationship between the size of the appropriation and the number of investigations which can be scheduled has made administrative officials very sensitive to congressional opinion. This summary of administrative difficulties suggests that a great deal of energy, patience, and conviction together with favorable circumstances would be required to achieve positive results from a cooperative enforcement venture.

III. INITIAL VOLUNTARY COOPERATION OF STATE LABOR DEPARTMENTS

Without any formal agreements under sections 11(b) or 4(b), state labor departments aided the Wage and Hour Division during its first few months by performing information and statistical functions. The Division faced a steadily increasing volume of complaints; it had an inadequate budget, a handful of partially trained inspectors, and meager materials to guide inspectors. State labor officials agreed to (1) report apparent FLSA violations; (2) provide lists of low-wage industries and establishments; (3) distribute copies of the Division's regulations to employers and workers; and (4) refer complaints and requests for interpretations of the act. As far as they went, these activities were helpful and pointed to a larger future role for the states.

IV. FEDERAL PREPARATORY STEPS

With considerable tact and ingenuity, the Department of Labor undertook a broadly conceived educational program to prepare the states for cooperation. The Division of Labor Standards compiled annual digests of state labor legislation, made comparative studies of state labor laws, and responded to state requests for help in drafting new statutes. It issued a factory inspection manual, conducted training courses for state labor inspectors, and helped organize regional and national conferences on labor legislation. The Secretary of Labor appointed a committee of state labor commissioners and AFL and CIO representatives to draft a model labor standards bill, which was approved by the Fifth National Conference on Labor Legislation in November, 1938.⁹ Forty-four state legislatures met during 1939, and a concerted effort was made in

⁹ Louise Stitt, "State Labor Standards Legislation," *Law and Contemporary Problems*, Vol. 6, pp. 454-63, at p. 459 (Summer, 1939).

behalf of the bill. Nevertheless, it was defeated in each of the thirty-six legislatures in which it was introduced. Somewhat better success attended another model bill circulated to state labor commissioners, giving them a positive authorization to cooperate. This was designed to remedy difficulties encountered in several states in which state fiscal laws or constitutions forbade the advance of state funds for cooperative work in expectation of federal reimbursement under section 11(b). The model bill prompted eight states and a territory to adopt enabling legislation.¹⁰

The Department recognized the annual National Conference on Labor Legislation, composed of state labor officials and representatives of interested civic organizations, as a source of strategically located support or opposition to cooperation. Especially during the early years, the opinions of this group were canvassed and its aid was solicited. The International Association of Governmental Labor Officials was another group whose cooperation was invited.

World War II intervened to curtail these promotional activities of the Department of Labor before substantial benefits could be realized. State labor standards, too, were generally relaxed or suspended during the war. Conditions after 1940 were not propitious for launching any ambitious new administrative program in a low priority field.

V. INFORMAL FEDERAL-STATE COOPERATION UNDER SECTION 4(B)

Notwithstanding the general failure to extend state legislation, limited experiments in state cooperation were made in several phases of the regulatory program. A review of these may illuminate the general problem posed at the outset of this article.

Federal cooperation with the state of New York in the regulation of homework in the gloves and mittens industry was undertaken in an atmosphere of cordial personal relationships between officials convinced that both parties would benefit from the arrangement. The New York law¹¹ requires homework employers and employees to be licensed and the homes to be annually inspected; each homemaker is issued a handbook in which the employer enters employment records. The terms of the FLSA order, for those subject to the federal jurisdiction, are virtually identical. During the fiscal year 1951, the New York State Department of Labor had 11,304 homework certificates outstanding and inspected 10,587 residences for compliance with its regulation;¹² the state

¹⁰ They were California, Montana, New Hampshire, North Carolina, Oregon, Rhode Island, South Carolina, Vermont, and Hawaii; see Irving Paster, "National Minimum Wage Regulation in the United States," unpub. diss. (University of Michigan, 1948), p. 239.

¹¹ New York was the first state to regulate homework, which was of special concern both on health and welfare grounds and because the New York market attracted goods, especially items of apparel, made in neighboring states. Its first law was passed in 1874; in 1913 it enacted the first prohibitory law on the subject to be held valid.

¹² Figures supplied by Mr. J. D. Wolf, Supervisor, Homework Bureau, Division of Industrial Relations, Women in Industry and Minimum Wage, New York State Department of Labor, in a letter to the author.

spends more to enforce its law than the Wage and Hour Division has available to administer its homework regulations over the entire country.

The cooperative agreement between the two authorities provides that in this industry the Wage and Hour Division will forego inspections in New York and will accept state-issued certificates as evidence of compliance with the FLSA.¹³ It does not provide for federal reimbursement of state expenditures. The spirit of separateness, often noticeable when federal and state officials carry out similar duties, has been largely overcome. Nevertheless, the Wage and Hour Division in April, 1950 rejected the state's proposal of a further simplification, the exclusive use of the state's homework handbook, on the ground that the federal order, like the state law, requires that completed books be filed with the agency as records, and this in spite of the fact that the Division does not use them for enforcement purposes. And although the agreement has been in effect for over a decade, no attempt has been made to extend it either to other industries in New York or to other states. Quite clearly, in this instance the bases of cooperation lie in the combination of three factors: continuing mutual confidence among the officials directly involved, the correspondence of state and federal standards, and especially the outstanding performance of the state in a field where it is heavily committed while the federal agency is handicapped for want of funds and staff. The prospect of a federal grant did not enter the calculation.

The Massachusetts plan for separate inspection and informal cooperation under section 4(b) was intended to meet almost any contingency which might arise when two agencies at different governmental levels are enforcing laws which are similar but not identical. The plan provided detailed procedures for (1) avoiding duplicate simultaneous inspections, (2) informing employers and employees of their responsibilities and rights under each law, (3) exchange of reports on alleged violations and contemplated enforcement action, (4) exchange of data relating to homework certificates, (5) conducting joint inspections, and (6) establishing and maintaining channels of communication between state and federal officials.¹⁴ By 1944 similar informal arrangements had been made with Arkansas, California, Colorado, Illinois, Iowa, Kansas, Maryland, Michigan, Missouri, Nebraska, New Jersey, New York, Pennsylvania, Rhode Island, Texas, Virginia, West Virginia, and Wisconsin.¹⁵

These commitments are all procedural and such as the comity of good neighbors requires; neither party surrenders any claim to jurisdiction, appropriations, or ultimate freedom of action. Massachusetts was a logical place to start the plan. It had statutory wage standards probably as high as those of any other state. It had tradition and experience as the first state to enact a

¹³ The number of certificates so issued and accepted ranges between 1,500 and 2,500 annually.

¹⁴ A copy of the written agreement between the Wage and Hour Division and the Massachusetts State Department of Labor is on file at the national office of the Division in Washington.

¹⁵ U. S. Congress, House, *Hearings Before the Subcommittee of the Committee on Appropriations on the Department of Labor-Federal Security Agency Appropriation Bill for 1944*, 78th Cong., 1st sess. (Washington, G.P.O., 1943), p. 50.

minimum wage law in 1912. By 1942 it had twenty-five wage orders in effect, seventeen of them in manufacturing industries. The overlapping inter- and intrastate coverage of orders applicable to manufacturing employment made it especially important in enforcing them to avoid the hazards of conflicts between federal and state inspectors, simultaneous inspection of firms by both authorities, and resulting confusion and resentment among employers and workers.

No single explanation will account for the participation of the other eighteen states—or for the non-participation of the remaining twenty-nine. Eleven of the eighteen had minimum wage laws specifying rates and overtime pay standards usually well below the federal requirements. Seven of these permitted employees to recover back wages, costs, and attorney's fees; eight provided for wage boards; and nine made violation a misdemeanor with criminal penalties.¹⁶ Eleven of the eighteen also had industrial homework laws, nine of them requiring licenses of both employers and employees, and six regulating wages.¹⁷ The attempt at federal control of industrial homework under the NRA had failed, and federal and state officials alike were skeptical of its prospects when the FLSA was adopted; nevertheless the statute did not exempt homeworkers from either the wage or hour requirements.¹⁸ The inherent difficulties of enforcing homework regulations, the meager resources of funds and staff at the Division's disposal for the purpose, and the disrupting effects of interstate shipments of homework, all operated as incentives to official cooperation in this field.

This evidence is not enough to support a conclusion that correspondence of state and federal standards is a decisive element, and the remaining clues are speculative in nature and sporadic in operation. The eighteen states include eight of the twelve with some branches of manufacturing under wage orders in 1942; in these the likelihood of overlapping coverage and consequent conflict was presumably a factor. It is also noteworthy that the important industrial states and those with the most advanced statutory labor standards were included. Among the Southern states only Texas, which regulated homework, and Arkansas and Virginia, which did not, participated. But some Midwestern agricultural states with relatively low standards—Iowa, Missouri, Kansas, and Nebraska—also participated. Perhaps geographical proximity was significant, for every participating state except California shared a common border with at least one other in the group. This suggests the importance of field office leadership—a regional director who has made several state agreements may be ambitious to round out his assigned area. It reinforces, too, the hypothesis that

¹⁶ Florence P. Smith, *State Minimum Wage Laws and Orders 1942, An Analysis*, U.S. Department of Labor, Bull. No. 191, Women's Bureau (Washington, G.P.O., 1942).

¹⁷ *Industrial Home-Work Legislation and Its Administration*, U.S. Department of Labor, Bull. No. 26, Division of Labor Standards (Washington, G.P.O., 1939). By 1945 Colorado, Utah, West Virginia, and the District of Columbia had adopted homework legislation.

¹⁸ In seven wage orders under the FLSA the Administrator prohibited industrial homework except by those who were physically or mentally handicapped or unable to leave home because they were responsible for the care of an invalid. Licenses were required of both employers and employees and detailed records were to be maintained.

the Division was readiest to unload, by the cooperative formula, the burdens of regulating homework, since it was common knowledge that homework was shipped among several of the participating states. But more definite evidence would be needed to warrant positive conclusions.

The degree of actual cooperation achieved under the Massachusetts plan varies greatly from state to state; this is the unanimous testimony in discussions with national, regional, and field officials of the Division and at several state labor departments. Within a single state, moreover, the amount and kind of cooperation given may be altered radically within a short time, especially if political control of the state government changes hands.¹⁹ Within a particular region or state, a single program, or even one aspect of it, may generate extensive cooperative activity while the others languish. A civic group may be the moving force, as in Ohio in recent years where the Executive Secretary of the National Consumers League promoted joint efforts of state labor officials and regional Wage and Hour Division personnel with respect to child labor. In some areas the National Child Labor Committee has stimulated state interest in cooperation with the federal government. The adoption of new laws at either the federal or state level frequently inspires renewed efforts at cooperation for a short time. The exposure of abuses or of negligence in enforcing the laws sometimes results in temporary cooperative efforts to correct these conditions.

Effective cooperative enforcement of the federal wage-hour law on an informal basis requires mutual confidence as well as detailed plans and supervision. Plans are easier to draw up than to carry out. Most supervisors interviewed acknowledged that they did not know whether or not inspectors were following the notification and reporting procedures required in the Massachusetts plan. Consistent and conscientious observance of these procedures would require a good deal of time and tact.²⁰

VI. COOPERATION WITH THE STATES IN ADMINISTRATION OF SUBMINIMUM WAGES

The Wage and Hour Division early developed informal cooperative enforcement procedures with states which exempted learners from their minimum

¹⁹ This was true also of prohibition enforcement. Compare the Wickersham Commission's observation in 1931: "Conditions are not wholly the same from year to year anywhere. Upheavals in local politics, changes of administration, varying policies in policing, the activities of strong or inactivities of weak personalities in executive positions, contribute to make the course of state enforcement, at least in the average urban locality, fluctuating, vacillating, or even spasmodic." National Commission on Law Observance and Enforcement, *Report on the Enforcement of the Prohibition Laws of the United States* (Washington, G.P.O., 1931), p. 40.

²⁰ Personality factors are obviously important. Compare again the Wickersham Commission report: "... the federal authorities can often secure cooperation through their own tact and conciliatory attitude ... in Maryland the United States attorney reports, that although there is no state prohibition act and the governor and the state government are hostile to the Eighteenth Amendment, the detective bureau constantly helps to locate offenders and detains them until the federal authorities can take them, and information of the violations of law is given constantly by policemen to the United States attorney." *Ibid.*, p. 43.

wage laws. To simplify the tasks, steps were taken to bring federal and state standards into closer correspondence. State labor officials were notified of the Division's learner regulations so that they would not promulgate learner wage rates lower than the federal rates in industries covered by the FLSA. When the wage-hour law was adopted, three states were issuing learner certificates in industries in interstate commerce. By 1940 twelve states had learner rates lower than the FLSA; four had higher rates. In Minnesota and Massachusetts the federal learner rate was raised to meet the higher state minimum. In the postwar years, since the seventy-five cent FLSA minimum became effective on January 25, 1950, federal learner rates have usually been higher than state rates, but the going wages under a high level of employment have minimized enforcement problems in this field.

Cooperative enforcement before the war may be illustrated in New Jersey. There, because a state wage order prohibited the payment of subminimum rates to women and minors in more than half a dozen industries, no federal learner certificates were issued in the apparel industry, most of the workers there being women or minors. And although such certificates were issued in the hosiery industry, the employer was informed that they did not apply to women and children covered by the state wage order. In California federal learner certificates were issued in the apparel industry, but employers were informed that a state wage order required a higher rate for the last four months of the learning period.

Finally, it should be noted that the Wage and Hour Division accepts as evidence of compliance with the FLSA requirements the apprentice contracts made under the auspices of and approved by a state or local apprenticeship council recognized by the Federal Committee on Apprenticeship if the contracts conform to the Committee's standards.²¹

In summary, we may conclude that the several types of cooperation reviewed thus far, which rest on section 4(b) and involve no federal reimbursement, are of only marginal importance and do not go beyond what common sense might dictate in the absence of that section. Does the prospect of reimbursement make a critical difference?

VII. FORMAL STATE COOPERATION IN ENFORCEMENT UNDER SECTION 11(B)

The FLSA had been in effect almost a year before the Wage and Hour Division and the Children's Bureau issued a joint regulation for utilizing the enforcement services of state agencies. It incorporated the standards approved by the Fifth National Conference on Labor Legislation. It required a "qualified"²² state agency to submit an inspection plan to the Division and to the Bureau.

²¹ Administration of subminimum rates for the handicapped has not been decentralized to the regions, so that there has been little opportunity for state cooperation on this phase of FLSA enforcement.

²² To qualify an agency had to have as its primary responsibility the administration of labor laws, had to employ a full time director and an adequate inspection staff, and had to engage in inspection work comparable to that under the federal law.

If they found the plan reasonably adequate and if the state agency accepted the joint regulation, a contract was offered under which the state performed specified services and was reimbursed for the cost.

The first such cooperative agreement was made with North Carolina to take effect November 1, 1939. Several favorable considerations prompted the selection of North Carolina. The Assistant Administrator of the Wage and Hour Division in charge of the Cooperation and Enforcement Branch, the unit responsible for implementing section 11(b), was the former state labor commissioner and a close friend of his successor in that elective office. The Roosevelt Administration welcomed a chance to recognize the Southern state which more than any other had made substantial progress in the adoption of progressive labor legislation. The North Carolina State Department of Labor had a reputation for friendly relations with employers and employer associations without deleterious effects on enforcement. Moreover, North Carolina industries were sufficiently diversified so that most of the problems likely to arise under any state agreement would probably emerge, and the state was close enough to Washington to permit ready supervision. North Carolina was selected in spite of the fact that it did not then and still does not have minimum wage or home-work legislation.

Under the joint regulation annual agreements are made by the Wage and Hour Division, the Secretary of Labor, and the North Carolina State Department of Labor. A typical agreement includes a statement of: (1) citations to statutory authority, (2) definitions, (3) approval of the joint plan, (4) termination procedures, (5) fiscal responsibilities and procedures, (6) the functions of the federal unit, (7) the manner in which investigations under the FLSA and the Public Contracts Act are to be coordinated with inspections under the state safety, health, child labor, and maximum hour laws, (8) the division of inspectors' time between state and federal work, (9) the lines of supervision and the location of offices, (10) litigation policy, (11) job descriptions, and (12) regulations governing the appointment, training, promotion, and tenure of personnel, and the compensation of injured employees.

Under the terms of the first annual agreement with North Carolina the state department was responsible for three-fifths of its annual expenditures and the federal government for the remainder. In the agreement operative in June, 1952, the annual budget was divided on a two to one basis with the state paying the larger portion. Under the original agreement the state department of labor functioned as a branch of the Division's regional office at Raleigh for the purposes of the cooperative program; since 1941 it has reported directly to the Administrator in Washington. A technical adviser from the Division's national office is assigned to the state labor department to assure consistency in inspection policies.²³ The Division's regional office is responsible for the initial training

²³ The duties of the federal representative require him to maintain a measure of independence of the views of state labor officials. In Minnesota the federal representative in St. Paul can have frequent contacts with regional employees of the Division in Minneapolis; thus his position is not as isolated as that of the federal representative in Raleigh.

of inspectors. The state provides space for the federal unit in Raleigh, and the Division furnishes equipment and supplies for the state staff employed on the federal work.

Labor inspectors in North Carolina are divided into three functional categories: (1) wage-hour inspectors who conduct payroll investigations under the FLSA, the PCA, the child labor provisions of the FLSA, the state child labor laws, and the state maximum hour and day-of-rest laws for men and women—these inspectors limit their investigations almost entirely to interstate business; (2) safety inspectors who spend an estimated twenty per cent of their time in spot checking payrolls of both interstate and intrastate firms for general compliance with the FLSA and PCA—these inspectors are paid by the state and their payroll inspections represent a contribution to the federal program for which the state is not paid; (3) maximum hour inspectors who enforce the state forty-eight hour week for women and fifty-five hour week for men, and day-of-rest laws for men and women—these inspectors limit their investigations almost entirely to intrastate business.

Judgments on the results obtained from the North Carolina experiment naturally differ, depending on the observer's vantage point. The Bureau of Labor Standards in Washington is on the whole pleased, and so are the state labor officials; the Wage and Hour Division is less happy. During the early years particularly, conflicts between national and state officials and programs were not uncommon. Sometimes the national office had two or more branches simultaneously making studies of state operations; this put undue demands on the time of state staff. Occasional national office staff failures to observe channels confused state personnel. Perhaps there have been times when both sets of officials regretted the cooperative undertaking. At one time some Washington office officials thought that the North Carolina program cost too much. One difficulty, unanticipated on either side, concerns reporting. The Division requires a written narrative report for each inspection case file. The state requires no such report, partly because it has no minimum wage law, and the federal agency has had trouble in getting the inspectors to write satisfactory reports. This item apart, the North Carolina officials believe that their state labor department gains prestige from its participation in the federal program and favor continuing it. They have been helped in increasing the salaries of inspectors because of their role in enforcing the FLSA.

The Minnesota agreement resembles the North Carolina model. The state law comes closer to matching FLSA standards—for instance, Minnesota has minimum wage legislation, applicable only to women and children, and a number of wage orders outstanding at rates considerably below seventy-five cents—but on the whole Minnesota's reputation is for good enforcement of relatively weak labor laws. This suggests that when the quality of state enforcement is good enough, a disparity in the two sets of statutory standards is no serious obstacle to cooperation under the FLSA. Indeed, the difference in the incidence of the state and federal laws here is such as to make it unlikely that the disparity in standards has any substantial effect on the administrative performance of the state department.

Both the organizational arrangements and the division of responsibility in Minnesota differ from those in North Carolina. For the purposes of the agreement, the Minnesota State Department of Labor and Industry operates under the Chicago regional office of the Wage and Hour Division. The state is divided into two parts, one of which is inspected by the state department with headquarters in St. Paul and the other by the Minneapolis field office of the Division. The assignment of counties to each part changes from year to year. At the changeover date pending cases are transferred from state to federal inspectors, and vice versa, resulting in some confusion and lost motion. The national office has pressed the state department to agree to less frequent changes in the assignment of counties, but state officials insist on the annual shift. No doubt their adamance stems less from any want of confidence in their inspectors—such as sometimes leads police chiefs to rotate policemen's beats—than from the political necessity of treating with bipolar impartiality the traditional rivalry of the twin cities that adorn the state. As in North Carolina, a liaison representative of the Division's national office is maintained in the office of the state department. He is responsible for obtaining observance of national policies and procedures, and for coordinating the FLSA work of the two agencies in the field. Attorneys from the Chicago regional office of the Solicitor of the Department of Labor²⁴ are available for consultation with state labor department officials. The agreement in force during the fiscal year 1950 provided that the federal government would pay the salaries and travel expenses of five investigators and that not less than seven inspectors were to be authorized to inspect for compliance with the federal statute and state laws. Reports on federal cases are reviewed by the Chief of the Division of Women and Children in the state department, the federal representative, and a field operations officer from the national office.²⁵ Investigators are required to record daily the time spent enforcing the state labor laws and the FLSA.

As between these two patterns, officials of the Bureau of Labor Standards in Washington prefer the North Carolina organizational arrangements. The Wage and Hour Division has not asked Minnesota to take over FLSA enforcement in both parts of the state. The state department opposes such a change on the ground that enforcement of the state law would suffer. Implicit in this view is a judgment either that Minnesota's good enforcement record, albeit with feeble legislation, has not been significantly aided by federal cooperation, or that increased responsibilities would not be matched by a corresponding increase in federal assistance.

In 1941 the Wage and Hour Division made a formal cooperative enforcement

²⁴ The original law gave the Wage and Hour Division its own General Counsel and regional attorneys. In 1941 Secretary Perkins abolished the Office of General Counsel and assigned the functions to the Solicitor of the Department of Labor, but she did not disturb the regional attorneys. When the House Appropriations Committee learned of this, it insisted that regional attorneys too be made responsible to the Office of the Solicitor.

²⁵ In June, 1952, the Wage and Hour Division had four field operations officers attached to the national office who were responsible for securing consistency in inspection policies. Most of their time is spent in the field.

agreement under section 11(b) with the Connecticut State Department of Labor. After a year or two the agreement was terminated because the labor commissioner insisted upon assigning the federal program to the agency responsible for administering the state wage collection law. Since then no further cooperative agreements have been made beyond the renewal of the North Carolina and Minnesota contracts. Considering the expectations that prevailed only two or three years earlier, this seems an extraordinary outcome. The causes are to be found partly in the situation in Washington and in the states, and partly in the war.

First of all, frequent changes in the leadership of the Wage and Hour Division, and of topside estimates of priorities among the Division's goals, contributed to an irresolute policy. Elmer F. Andrews, the Division's first Administrator, had been, while Industrial Commissioner of New York, a strong advocate of state cooperation. Some of his initial enthusiasm may have diminished after he assumed the federal office. In his first report to the Congress in 1938 he stated:

The Division intends to conclude affiliation agreements for the performance of this work with State departments of labor as rapidly as these State departments are in a position to undertake the functions. However, it is recognized that the building up of a trained inspection staff cannot be undertaken overnight in many States, and meanwhile the Wage and Hour Division has the responsibility for seeing that the statute is enforced until such time as States may be in a position gradually to take over these functions.²⁶

But a year later he reported new obstacles to early decentralization:

It is essential that uniform policies and procedures be maintained in order to give equal protection to employers and employees affected. . . . it was impossible at once to utilize fully state inspection staffs since there were no funds to reimburse State labor departments. . . . It was also deemed essential to maintain central control over all work connected with administration of the act during the period immediately after it became effective, so that policies and procedures would not vary from State to State.²⁷

Other objectives were claiming his attention, too. One of the factors in his selection was his prior experience with wage commissions in New York. He was anxious to move along rapidly with the establishment of industry committees under the FLSA, a step which had strong union support. It seems likely that the industry committee program was given precedence over cooperation with the states as to funds, policy formulation, and staff. Nevertheless, most Washington observers believe that had Andrews not resigned in October, 1939, more state agreements would have been made.

He was succeeded briefly by Colonel Philip B. Fleming of the Corps of Engineers, who had served as WPA Administrator in New York City. Among his qualifications for the Wage and Hour Division post were his reputed talents for administration and his high standing in the confidence of congressional com-

²⁶ *Interim Report of the Administrator of the Wage and Hour Division for the Period August 15 to December 31, 1938*, U.S. Department of Labor (Washington: No G.P.O. imprint, 1939), Part II, p. 20.

²⁷ *First Annual Report of the Administrator of the Wage and Hour Division for the Calendar Year 1939* (Washington: G.P.O., 1940), p. 69.

mittees. Administrator Fleming announced that he "intended to hold back to see how these agreements develop before we go ahead with other States, although some other States have asked for agreements. . . ." ²⁸

In less than two years he in turn was succeeded by L. Metcalfe Walling, Administrator of the Public Contracts Division, who held the office until the end of the war. Before going to Washington in 1937, Mr. Walling had earned a brilliant reputation as labor commissioner of Rhode Island. Immediately after assuming office Walling was involved in a futile struggle to win for the Division a major role in defense (later in war) labor administration. Nevertheless, he succeeded in obtaining from the temporary war agencies a wide range of special investigation assignments. At the same time that the Division was assuming these new projects, there was a rapid expansion in the scope of investigative work under the Public Contracts Act. Both of these developments deflected interest from state cooperation. When the Division moved to New York in 1942, it lost investigative personnel to war agencies and private industry and there was no reservoir from which to draw replacements. Even had Administrator Walling supported an expansion of state cooperation, there would not have been adequate supervisory staff to execute such a program during the war. In the postwar period with a new Administrator, Wm. R. McComb, in charge, the Wage and Hour Division concentrated on raising the statutory minimum and was not interested in developing more state agreements. Recently, the Eisenhower Administration has conducted preliminary negotiations for cooperation with one state but no agreement has yet been reached.

At the state level, too, the emphasis during the war shifted from minimum wage enforcement to wage stabilization, labor supply, and better utilization and training of workers. Like the Wage and Hour Division, the state labor departments were hard pressed to retain inspectors. Since the end of the war, states like New York and Wisconsin, once eager to cooperate, are reported no longer to be interested. The complex problems arising under the overtime requirements of the FLSA are responsibilities not to be assumed lightly. The bureaucratic interest displayed in North Carolina, where participation in the federal program lent prestige and helped raise salaries for the state department, seems not to be a sufficient moving force by itself. And the prospect of federal reimbursement has not been an incentive powerful enough to counter tides that have turned strongly in the opposite direction. On the one hand, the same forces that brought about the Taft-Hartley Act secured the passage of "right-to-work" and other anti-labor manifestations from a number of state legislatures, and put the administration of state labor laws into hands guided by no innovating spirit. On the other hand, a high level of employment was worth a battalion of inspectors.

VIII. CONCLUSIONS

In retrospect, what conclusions can be drawn about the striking discrepancy

²⁸ U.S. Congress, House, *Hearings before the Subcommittee of the Committee on Appropriations on the Department of Labor-Federal Security Agency Appropriation Bill for 1942*, 77th Cong., 1st sess. (Washington, G.P.O., 1941), Part 1, p. 339.

between expectation and achievement under sections 11(b) and 4(b)? Seldom has an experiment been launched with more general approval. As a matter of fact, had these sections been controversial and the lines firmly drawn at the time the bill was considered by the Congress, perhaps there might have been more external agitation for cooperation during the first year or two. In this sense the policy reversal was non-political. But political considerations did enter in another way. As originally adopted, the act placed the Division in a semi-autonomous position in the Department of Labor. In less than two years the Secretary of Labor succeeded in subordinating the Division to a position comparable to that of the other Bureaus and won control of both its budget and its personnel. Thus the appropriations committees of both Houses considered the Division's estimates in the context of their long dislike for the Secretary of Labor. Only in 1942 were the Division's appropriations adequate for the task the Congress had assigned, and then it was too late; thus the Division's claim that it did not have funds for cooperative enforcement was substantially correct. For the most part congressional committees have been indifferent to cooperative enforcement.

Another factor in the result was bureaucratic. The national office of the Wage and Hour Division was confronted with a rapid and unmanageable accumulation of uninvestigated complaint cases at a time when major enforcement policies were still in the making and labor unions were clamoring for the early establishment of industry committees. Under the most favorable circumstances, the process of negotiating cooperative agreements with the states was slow and tedious, sometimes requiring amendments to state constitutions and the adoption of enabling legislation, and in any event the recruitment and training of additional state staff. During the first year and a half the Wage and Hour Division saw no immediate solution for the complaint case backlog in rapid and wholesale extension of state cooperative arrangements. Meanwhile, political and administrative pressure to dispose of the accumulated cases led the Division to expand its own regional and field staff. Once brought into being, the field staff constituted a vested interest against transfer of investigative work to state officials.

Still another typically bureaucratic factor is the attitude of the top staff at the national office that when the state assumes part of the task the Division loses a large measure of control but remains responsible for results. Whatever the merits of this attitude, it is widely held and certain conditions lend it credence. Although the arrangements for state cooperation involved systematic and thorough review by both state and national officials, there is no denying that the field staff, whether federal or state, has a range of discretion in the selection of particular firms in the general categories to be investigated and in the scheduling of inspections. There appears to be some uneasiness about the competency of state staff. In a few states labor commissioners are elected; in some others the governor regards the position as a political plum useful in paying a campaign debt to organized labor or employer associations. The general level of salaries for state investigators being substantially below that of the federal

government, the prospects of securing an equally competent staff seem dim.

Earlier in this article the question was raised whether correspondence between state and federal standards was a prerequisite for effective cooperation. On the evidence reviewed it can be concluded that except for such specialized programs as the regulation of homework and child labor in agriculture, correspondence is a negligible factor. Differences between state and federal laws unquestionably add complications for state enforcement personnel. However, even when the two statutes correspond in the main, there remain a large body of technical questions and areas of investigation (by reasons of differences in coverage and exemptions) as to which state personnel need further training. Taken together, the North Carolina and Minnesota experiments suggest that caliber, morale, and training of state staff is a far more important factor in judging suitability for the task of enforcing the federal law than correspondence of that law to state legislation.

Finally, the conclusion is inescapable that the mere availability of federal funds whether in terms of an authorizing statute or even in terms of available appropriations²⁹ is not by itself, in the political and economic climate which has prevailed since 1940, a sufficient inducement to bring federal and state authorities eagerly and promptly into cooperative arrangements. This is not to say that another generation may not see other steps taken under sections 11(b) and 4(b). But it does suggest that federal reimbursement is no general panacea for assuring ready state help in enforcing federal law. Had the states had going staffs at the effective date of the FLSA, the experience under sections 11(b) and 4(b) might have been different. Since 1938 the total dimensions of the enforcement problem have shrunk despite increases in the number of establishments subject to the act.³⁰ A sharp change in economic conditions might promote renewed interest in this now moribund experiment.

²⁹ Although the 1942 budget was regarded as adequate, it did not, as a matter of fact, include substantial appropriations for reimbursement under section 11(b).

³⁰ The number of employees estimated to be subject to the FLSA increased from approximately 12,600,000 in 1939 to 20,900,000 in 1951. Coverage was reduced by the 1949 amendments.

The Wage and Hour Division has refused to accept the views urged by the House Appropriations Committee that as employers become acquainted with the provisions of the law the Division can inspect a decreasingly smaller percentage of covered establishments without deleterious effects on compliance. The Division has consistently maintained that violations occur because: (1) the employer is ignorant of the requirements, (2) the violations are technical and unintentional and will be corrected when discovered, (3) the violations are willful, and (4) the employer contests the Administrator's interpretation of the act. Although most employers comply, the Division contends that there will always be a small percentage, but numerically a rather substantial number, who can be brought into compliance only by inspection. The large number of new firms since the end of World War II complicates enforcement. Violation rates remain surprisingly stable despite improved economic circumstances, partly as a result of the Division's improved techniques for concentrating inspections in areas and industries where compliance is the poorest, and partly because overtime violations increase as wages increase. In 1942 the Division inspected 74,676 establishments compared to 26,189 in 1950.

MILITARY ASSISTANCE FOR PAKISTAN

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On November 1, 1953 the Karachi correspondent of the *New York Times* filed a dispatch reporting that discussions of a military alliance between Pakistan and the United States were about to begin. On February 25, 1954 President Eisenhower announced that the United States had decided to give military assistance to Pakistan for the purpose of "strengthening the defensive capabilities of the Middle East." With the President's statement a new and powerful force entered the international politics of South Asia and another landmark of American foreign policy was set up. In the four months which intervened between the newspaper report and the official announcement, most of the important trends and issues in contemporary world politics had touched on or been touched by the U. S.-Pakistan proposal. Internal and external affairs of a dozen countries were affected. Most of the instruments of diplomacy and propaganda were employed to support or oppose agreement. Of primary importance to the United States was the clear and specific implementation of our established policy of supporting regional alliances of free nations to "contain" Soviet aggression and to prevent further expansion. Because of the novelty of the area into which the policy was extended, the speed with which it was implemented, and the precision of the reactions of all parties, American military assistance for Pakistan constitutes an almost ideal case study of international relations in a world in which the movement of events has been greatly accelerated.

Though unique in many respects, the U.S.-Pakistan agreement was quite ordinary in one. It took place in an atmosphere of public clamor and official silence. This was especially true of the American role. It is not always possible, therefore, to catalog events with absolute certainty or to determine with complete accuracy each step in development of the proposal. Press coverage was wide and full, however, and much of it was obviously the result of deliberate "leaks" by official sources. Even from this it is possible to extract a significant pattern. This pattern can best be seen by consideration of the events which shaped it under four general categories: (1) official reaction; (2) pressure of press and public; (3) implementation of the aid program and the changes it underwent in development; and (4) factors which underlie the U.S. decision to arm Pakistan, and their meaning.

I

The first public report that the United States was considering a military alliance with Pakistan appeared in the *New York Times* of November 2, 1953. The correspondent stated that discussions would take place when Pakistan's Governor General Ghulam Mohammed visited President Eisenhower in Washington on November 12. He quoted "a high Government official . . . cabinet ministers and high-ranking military men," and stated that Pakistan "was will-

ing to consider an exchange of air bases for military equipment." On November 11, the Associated Press reported from London that "British and Pakistani informants" had confirmed that "the United States was negotiating with Pakistan for permission to establish military bases there in exchange for defense aid."¹

It was at this point that official notice was first taken. On the same day the State Department admitted that there had been "general conversations" on the subject, but insisted that no "negotiations" had been undertaken. The next day Governor General Ghulam Mohammed called on President Eisenhower and Secretary Dulles. Later, a State Department press officer said that there had been "continuous conversations and considerations" of Middle East defense, but insisted that it was "beside the fact" to look upon the Governor General's visit "as part of an integrated specific program" or as anything which involved "concrete suggestions."² With the Governor General in Washington were Foreign Minister Zafrullah Khan and Army Commander-in-Chief General Ayub Khan.

Prime Minister Nehru of India first commented on developments in his press conference of November 15 in New Delhi. He described reports of a U.S.-Pakistan military alliance as "a matter of the most intense concern to us," and added that he was "watching these developments with the greatest care." He said his views had been conveyed informally to the United States. In Washington the next day, Indian Ambassador G. L. Mehta, after a visit with Secretary Dulles, told newsmen that the subject of the conversation had been military assistance for Pakistan. In his news conference of November 17, Secretary Dulles in answer to a reporter's question declared flatly that no negotiations were underway at the time that would provide Pakistan with military assistance or that would lead to the establishment of American bases there. The following day President Eisenhower told his press conference that the United States would be most cautious about doing anything for Pakistan that might create unrest or hysteria in India.³

Pakistan now got in a few verbal blows. Governor General Ghulam Mohammed, in London on his way home, expressed surprise that Mr. Nehru had commented on the reports of a military alliance "without first thinking it necessary to verify their veracity." Pakistan's High Commissioner in New Delhi lodged an official protest over Prime Minister Nehru's "outburst."⁴ Prime Minister Mohammed Ali in Karachi told the United Press that it was "absurd and ridiculous to think Pakistan with seventy-six million people would attack India with three hundred and forty million." He denounced Mr. Nehru's objections as "a manoeuvre to set up a position for India as the potential balance

¹ *New York Times*, November 12, 1953. For the sake of simplicity, references are to the *New York Times* except in cases where the event concerned was not reported in the *Times* or the kind of coverage given in the cited publication is significant in itself.

² *NYT*, Nov. 12, 13, 1953.

³ *NYT*, Nov. 16, 17, 18, 19, 1953.

⁴ *NYT*, Nov. 22, 1953.

of power in Asia between the Eastern and Western blocs." In London, Foreign Minister Zafrullah Khan denied that the proposals under consideration included American bases in Pakistan and belittled Indian fears.⁵

Meanwhile Prime Minister Nehru increased his public opposition to the proposal. He warned that it would "bring the cold war to India's borders," and that it would have "far-reaching consequences on the whole structure of things in South Asia."⁶

During his visit to Pakistan in early December, Vice President Nixon denied all knowledge of plans for military assistance for Pakistan. He stated: "It was not discussed in the National Security Council before I left Washington nor was it included in the State Department briefings given to me." Immediately upon his return, however, it was generally accepted that the Vice President was recommending military aid for Pakistan in his report to the President and the National Security Council.⁷

Next the protests shifted to the formal diplomatic level. On December 11, Communist China joined the USSR and India in a formal protest to Pakistan concerning the proposal to accept military assistance. Ten days later Sardar Najibullah, then Afghan Ambassador in India (who frequently issued foreign policy statements for the Government of Afghanistan), announced that his government was opposed to aid, which would turn Pakistan into a "colonial power." On December 19, Pakistan replied to the Russian protest, stating that it is "the duty of the Pakistan Government to take every step to safeguard the security of Pakistan and in the discharge of this paramount duty and all other duties that fall upon the Government, to adopt and take such measures as may appear appropriate and adequate." The note also called the attention of the Soviet government to statements by the Governor General and Prime Minister that there had "never been any question of granting military bases in Pakistan to the United States of America."⁸

India now sought new channels through which pressure might be applied to block the agreement. On December 16 Prime Minister Nehru ordered his Congress party to organize demonstrations throughout India against a Pakistan-U.S. alliance. On December 23 Sir John Kotelawala, Ceylon's Prime Minister, announced that he had proposed a meeting of Asian prime ministers to discuss the question of world peace. Mr. Nehru revealed at once that he intended to bring up "the dangerous step" the United States and Pakistan were taking at the meeting. During the last week in December India circulated a memorandum to friendly governments in the Middle East and the Commonwealth setting forth its objections to American military assistance for Pakistan. There is reason to believe that at the same time Indian diplomats throughout the world were instructed to exert their influence against aid for Pakistan. An attempt to persuade Canada to intercede with the United States was reported.

⁵ *Pakistan News Digest* (Karachi), Dec. 15, 1953.

⁶ *NYT*, Nov. 16, 1953.

⁷ *NYT*, Dec. 10, 14, 19, 1953; *Newsweek*, Jan. 4, 1954.

⁸ *NYT*, Dec. 14, 20, 23, 1953.

The sudden development of a neutralist attitude in Cairo was attributed to the great personal influence exercised by Indian Ambassador S. K. M. Pannikar on General Naguib. Indian officials in the United States and the United Nations began to put out urgent private warnings to their friends that military support to Pakistan would cause permanent loss of India's friendship and push her into the Soviet bloc.⁹

Substance seemed to be given to the warnings by a series of Indian moves during December and January. A five-year bilateral trade agreement between India and the USSR was signed in New Delhi December 2. It included provisions for Russian heavy machinery and Soviet technical assistance. The sending of a team of government engineers to Red China to study flood control was announced December 14. The same day the Associated Press reported from New Delhi that diplomatic sources in the Indian capital had revealed that Soviet Ambassador Mikhail A. Menshikov had made an informal bid to discuss the sale of military equipment to India if the United States supplied arms to Pakistan. Long-stalled negotiations with Red China on the Tibet border were reopened at a conference in Peiking at the end of the month. Thirty Soviet artists arrived in New Delhi early in January as part of a cultural mission invited and paid for by the Indian government. On January 15 India denounced its seven-year-old Commercial Air agreement with the United States, and the right of American airlines to do business in India became subject to renegotiation.¹⁰ Reports of a secret defense pact between India, China, and Russia were widely publicized in England and grew so strong that on December 31 the Indian Foreign Office was compelled to issue a detailed denial.¹¹

Indian decision on many of these items, especially the trade pact and Tibet negotiations, obviously pre-dated the military aid argument. All were perfectly in accord with the established policy of working with both sides in the "cold war." The manner in which the new ties with the Communist nations were finalized and made public, however, suggests that the Indian Government was deliberately taking the opportunity to demonstrate that it could not be pressured into cooperation with the West by the prospect of American military support for its unfriendly neighbor, Pakistan.

As the controversy went on, Indian pressure was applied directly to Pakistan at her most vulnerable spot. At a meeting in August, 1953, Prime Ministers Mohammed Ali and Nehru had agreed to the appointment of a plebiscite administrator for Kashmir before April 30, 1954. Representatives of both govern-

⁹ *NYT*, Dec. 17, 24, 25, 26, 1953; Jan. 2, 4, 1954. The Asian Prime Ministers' Conference was eventually held in Colombo April 27-May 1, 1954. The subject of American military assistance to Pakistan was not officially discussed, the other participants having refused to consider it a concern of the Conference.

¹⁰ *NYT*, Dec. 3, 15, 1953; Jan. 5, 16, 1954.

¹¹ *London Times*, Dec. 31, 1953. The Sino-Indian Treaty on Tibet, which was subsequently signed on April 29, 1954, unconditionally turned over all Indian property in Tibet to China and granted the latter rights in the border area never before recognized.

ments began meetings in New Delhi December 21 to prepare the way for settlement of outstanding disputes and selection of an administrator. Considering the long and thorny background of the Kashmir dispute, the meetings went remarkably well, and at the end of the month it was reported unofficially that measures of agreement had been reached on everything except the identity of the plebiscite administrator and the disposition of troops during the plebiscite. At the end of the Delhi session, the meetings were shifted to Karachi. Shortly after the talks began, however, Prime Minister Nehru warned in a speech in the lower house of the Indian Parliament that "the whole context" of the August agreement on Kashmir "will change if military aid comes to Pakistan." On February 6 the Kashmir Constituent Assembly formally ratified the state's accession to India. After vigorous protests from Pakistan and criticism in the world press, an Indian official issued a statement that ratification "does not add anything to the previous position" and that "the Government of India were bound to the commitments made by it and stood by the offer of a plebiscite under suitable conditions." A week later, however, President Rajendra Prasad told a joint session of the Indian Parliament that American military assistance to Pakistan had "unfortunately come in the way of" pending negotiations on Kashmir.¹²

In the past Kashmir has been the touchstone by which the Pakistani public judges almost all important policy issues. The coupling of negotiations with India on Kashmir with those with the United States on military aid posed a serious problem to Prime Minister Mohammed Ali. Pakistan began a series of carefully considered conciliatory gestures. On December 26, Mohammed Ali wrote the Indian Prime Minister describing the proposed arrangement with the United States as one which would increase India's security as well as that of Pakistan and saying that he could not understand why India was "bothered" about the proposals. On January 7, 1954 Foreign Minister Zafrullah Khan said that Pakistan would have no objections to the United States' giving India military assistance. "Why should we have any objections if India is in need of any equipment and can obtain it from a friendly state like the United States?" he asked in a Karachi interview. On February 5 Mohammed Ali revealed that he had written to Mr. Nehru suggesting a meeting to discuss the question of American military aid to Pakistan. He added: "I shall strive to convince Mr. Nehru that Pakistan's acceptance of military aid does not mean she has aggressive designs against India."¹³

While all this was going on, the United States officially said not a word. On January 2 Senator William F. Knowland, Republican Majority Leader, attacked "neutralist" Indian opposition to the military assistance proposal and called Pakistan "one of the key, important countries in the entire world in relation to the defense against Communism." On January 5 the situation took a new turn when it was authoritatively reported that a defense alliance among

¹² London *Times*, Dec. 30, 1953; *NYT*, Dec. 22, 24, 29, 30, 1953; Feb. 7, 15, 16, 1954.

¹³ *NYT*, Dec. 27, 1953; Jan. 8, Feb. 6, 1954. No such meeting between the two Prime Ministers ever took place.

Pakistan, Turkey, and Iraq was being encouraged by the United States.¹⁴ On January 12 Secretary Dulles made his strong speech before the Council on Foreign Relations stating that American security policies were now based on the concept that the United States must confront any aggressor with "a great capacity to retaliate, instantly, by means and at places of our own choosing."

As the United States moved toward a decision, the lines of difference in South Asia became more obvious. Prime Minister Nehru reiterated his earlier refusal to accept military aid from anyone and proposed a series of non-aggression pacts among Asia's neutrals to keep them "free of some of the terrible trouble that is overtaking the world." He said that if Pakistan accepted American military aid, "she becomes progressively a war area and progressively her policies are controlled by others. To deny this has little meaning. Freedom recedes in Asia and the currents of history are reversed." Mohammed Ali's reply was: "We will refuse, refuse, refuse to be dictated to by anyone, including India."¹⁵

On February 7 it was reported unofficially that the National Security Council had approved military assistance for Pakistan. On February 19 came an official announcement from Karachi and Ankara that Pakistan and Turkey were working on a pact for the purpose of "strengthening peace and security in their interest." On February 22 Pakistan submitted a formal request for military assistance to the United States. Three days later President Eisenhower issued a statement approving the request and announcing negotiation of a Mutual Defense Assistance Program agreement with Pakistan. Included in the statement was the text of a letter from the President to Prime Minister Nehru reaffirming American friendship for India and offering a similar program of military assistance to that country.¹⁶ Thus ended the story which had begun less than four months earlier.

II

Though the sovereign states still object strongly to any direct contact by the United Nations with the peoples of the earth, the technique is considered quite acceptable when practiced by the states themselves. Throughout their dispute over military assistance, both India and Pakistan were careful to frame their official words and actions with an eye to the effect they would have not only on the governments concerned but on public opinion within their own and each others' countries and in the United States.

Prime Minister Nehru continually emphasized his contention that the arming of Pakistan would bring the world closer to war. His suggestion that India might feel compelled to break off negotiations on Kashmir if Pakistan accepted American military aid was aimed at the man in the street in Pakistan, who has come to cherish success in Kashmir above all things. Indian statements carried a note of sadness and disillusion with a formerly friendly United States. Regret at the withering of old ties of affection and respect was aimed at liberals in the

¹⁴ *NYT*, Jan. 3, 6, 1954.

¹⁵ *NYT*, Jan. 24, 25, 1954.

¹⁶ *NYT*, Feb. 8, 20, 23, 26, 1954.

United States, who had long supported a free India and admired Nehru's idealistic policy. While the Prime Minister himself remained silent on the subject of the Soviet Union, lesser officials and influential Indians did not hesitate to point out that if the United States embraced Pakistan, India would have to turn to the Communist bloc.

The more critical of the United States India became, the closer Pakistan sidled up. Prime Minister Mohammed Ali, drawing on the liberal education in practical politics he had received while serving as Pakistan's Ambassador in Washington, went out of his way to be flattering. He publicly disassociated Pakistan from the Asian neutralist group, and rejected Chinese and Russian protests in language stronger than was deemed necessary by some of his Cabinet. He vigorously defended American activities in Asia, saying: "The United States desires only peace and its efforts should be appreciated; it is activated by a great good." He drew a parallel between the "power vacuum" which now exists in South Asia and the absence of military strength in South Korea which invited aggression there in 1950. He annoyed Scotland Yard and his own CID by requesting assistance from the FBI in clearing up the mystery which still surrounds the assassination of Prime Minister Liaquat Ali Kahn in 1951.¹⁷

These are not the things—or at least the repetition and multiplication of them are not—which influence governments directly. They do have an effect, however. India has always had more appeal in the United States than has Pakistan, and under the urging of a group of influential Americans, a ground swell of public opposition to a pact with Pakistan began to develop. In the early stages of discussion, Pakistani officials at home and in the United States had been quietly confident that their case was impregnable. Top American officials were obviously favorable and the Pentagon was actually enthusiastic. Planning was proceeding quickly and smoothly. As Indian pressure built up, however, official Washington remained silent except for conciliatory statements toward India. Pakistanis began to worry and cast about for a way of countering the trend in public opinion. Lacking an organized pro-Pakistan group in the United States, they were forced simply to remain silent and hope for the best.

From the very beginning, the role of the press was of primary importance. The first information that an American-Pakistani agreement was in the offing came in the *New York Times* dispatch already referred to. It was startling and unexpected news to students of international politics in South Asia and had all the earmarks of a deliberate "leak." Of the American papers which took a definite stand, the *Times* was the most important. It supported the aid program and gave heavy coverage to developments. During the four months from November, 1953 through February, 1954, the *Times* ran no less than nine editorials and eleven detailed analyses by its New York and Washington staff. Scarcely a day passed without a news story from Karachi or Delhi.

Naturally the press in India and Pakistan echoed the policy of the respective governments. Significantly, the violence of Prime Minister Nehru's opposition forced even the *Pakistan Times* of Lahore, a Communist-line paper whose

¹⁷ NYT, Dec. 18, 20, 1953; Jan. 2, 1954.

editor is still in jail for his part in the "Rawalpindi Conspiracy" to overthrow the government in 1951, to defend Pakistan's freedom to accept aid from whomever she chose.¹⁸

The British press gave heavy coverage to events in India and Pakistan but paralleled the government in calling attention to Britain's interests in the area, weighing the pros and cons of the American effort, and avoiding a definite commitment until the American decision to go ahead became obvious.¹⁹

The deliberate "leak" was widely employed. The first news of the pact, "leaked" to the *New York Times* correspondent in Karachi November 1, was confirmed ten days later by "British informants" in London. The eventual announcement that the British government favored the pact was anticipated in a news story. That a Pakistan-Turkey alliance was in the making first came out in a reporter's despatch from Ankara. Though no announcement was ever made by the National Security Council, the *New York Times* was able to report flatly on February 8 that the proposal had been approved by the Council a few days before.²⁰ Exactly two weeks before President Eisenhower's announcement, the Karachi *Dawn* described with complete accuracy the agreement which had been reached and the way it would be made public.²¹

It is clear that in Pakistan and India public opinion was in almost complete agreement with government policy. American prestige in Pakistan was at its peak last spring and summer as a result of the gift of 700,000 tons of wheat, some of which was being delivered at the very time discussions on military assistance were taking place. Vice President Nixon, Secretary Dulles, and Senator Knowland were given overwhelming welcomes during their visits to Pakistan. Even H. S. Suhrawardy, bitter critic of practically everything the present government of Pakistan has done and leader of the subsequently successful United Front opposition to the Muslim League government in the East Bengal elections, gave public support to American military assistance.²²

American objection to Indian support of Red China, bickering over the Korean POW's, United States leadership in the defeat of Madame Pandit's attempt to call a special session of the United Nations General Assembly to deal with the Korean peace conference, and departure from India of the popular Chester Bowles put a strain on American-Indian relations. Public anger rose under the hands of skilled Congress agitators. In ordering Congress into the fight, Prime Minister Nehru himself had been careful to insist: "There should be no condemnation of Pakistan in this matter, nor should there be any condemnation of the United States either as a country or as a Government, but the policy [of arming Pakistan] should be condemned as dangerous to world peace and to India." The unsophisticated masses tended to overlook such subtle distinctions. The leftist Bakshi government in Kashmir encouraged anti-American propaganda. Three thousand government ordnance workers at Cawnpore adopted a resolution calling for a boycott of American imports and the expulsion

¹⁸ *Pakistan Times* (Lahore), Dec. 22, 1953; Jan. 25, 1954 (editorials).

¹⁹ e.g., *London Times*, Jan. 12, 1954 (editorial).

²⁰ *NYT*, Jan. 26, 29, 1954; *New York Herald-Tribune*, Jan. 24, 1954 (Alsops).

²¹ *Dawn* (Karachi), Feb. 13, 1954.

²² *Statesman* (Calcutta), Feb. 27, 1954.

from India of all American technical personnel. Ten thousand people gathered in Gandhi Park in New Delhi to participate in a rally reminiscent of the great Congress demonstrations which shook British power. It included marching children, women, and caste groups. The marchers carried banners warning "Hands off Asia!" and listened to fiery party orators denounce the proposed agreement between Pakistan and the United States. Though Congress leaders declared that it had been necessary for them to initiate the agitation to prevent the Communists from seizing the issue and running away with it, the extreme right also threatened to take control. Master Tara Singh, Sikh leader, urged negotiation of defense pacts with China and Russia as an answer to American aid to Pakistan.²³ The possibility of defeat in provincial elections in the East Punjab and in Travencore-Cochin (a possibility that became a fact in the latter case) spurred the Congress to heightened appeal to public emotion. Criticism of this form of opposition was widespread in the outside world, however, and after the initial demonstrations Congress allowed it to taper off.²⁴ The resolution finally adopted in the Congress National Convention put forward objection to a military alliance between Pakistan and the United States but also described the latter as "a champion of freedom and democracy."²⁵

Strangely, it was only in the United States that government action does not seem to have been in accord with such public opinion as was expressed. A large majority of letters to the *New York Times* by experts on Asian affairs opposed military assistance for Pakistan.²⁶ In an article in *The New Leader* former Ambassador Chester Bowles gave weight to Indian warnings by questioning the wisdom of supporting 76 million people only to alienate 340 million. Speaking of the strategic implications of the pact, he said: "Instead of adding to the stability of the subcontinent, this will create new tensions and suspicions, and thus further contribute to its insecurity."²⁷ Mrs. Eleanor Roosevelt stated her opposition to arms aid for Pakistan at a meeting of the Citizens Conference on International Economic Union, and a letter signed by seventeen of the Union's leaders objecting to the assistance program was made public at the same meeting. Representative Emanuel Celler of New York objected strongly to the alliance in public appearances. Dr. E. Stanley Jones, well-known American missionary to India, was vocal in his opposition. Senator Knowland was the only public figure to give vigorous support to aid for Pakistan, though Senator H. Alexander Smith of New Jersey characterized India as "unduly apprehensive" about the arrangement.²⁸

In spite of this opposition Washington carried through the aid pact. Public opinion apparently had little effect. The decision was made by State Department and Pentagon "professionals." With the negligible exception of Repre-

²³ *NYT*, Nov. 26, Dec. 17, 18, 21, 27, 1953.

²⁴ *e.g.*, *NYT*, Dec. 18, 22, 1953 (editorials).

²⁵ *NYT*, Jan. 24, 1954.

²⁶ Among them were Professor W. Norman Brown and three colleagues at the University of Pennsylvania, Dr. E. Stanley Jones, Norman Thomas, Zenas L. Potter, and J. J. Singh. Dr. F. S. C. Northrop and George Fielding Elliot registered approval of the pact.

²⁷ *New Leader*, Feb. 22, 1954.

²⁸ *NYT*, Dec. 16, 31, 1953; Jan. 3, Feb. 27, 1954; *Bulletin of the Foreign Policy Association*, Feb. 15, 1954.

sentative Celler, public opposition found no champion in government. It must be remembered that the decision was perfectly in accord with established U. S. policy on regional alliances. A general lack of knowledge about Pakistan in the United States, the speed with which events progressed, and the need to come to a decision before the heavy pressures built up by Pakistan and India for and against the alliance got out of hand, all made for the desirability of an "expert" decision rather than the "great debate" usually accorded to broader foreign policy proposals. Even so, the State Department's refusal to comment while the matter was under consideration drew criticism from highly diverse sources.²⁹

Of passing interest is the fact that no one, not even India, attempted to introduce discussion of the issue into the United Nations. This may be accepted as a pretty fair indication of the extent to which Articles 51 and 52 of the Charter, the "escape clauses" for regional alliances outside the world organization and action based on "the inherent right of individual or collective self-defense," have been accepted.

III

As has already been seen, the decision to support Pakistan was worked out almost entirely during the period November 1, 1953 to February 25, 1954. It was implemented with speed and precision during an immediately subsequent period of equal duration. In mid-March a military survey team under Brigadier General Henry F. Myers arrived in Pakistan to study arms requirements. General Myers had served in the American Embassy in Karachi a few years previously and was well acquainted with Pakistani military leaders. On April 2 Pakistan and Turkey signed their contemplated Treaty of Friendly Collaboration in Karachi. The government of Iraq announced on April 25 that the United States had approved its request for military assistance. In May General Myers and his team also did an evaluation of Iraqi arms needs. A Mutual Defence Assistance agreement between the United States and Pakistan was signed in Karachi May 19, at which time American Ambassador Horace Hildreth was already in Washington discussing the amount of aid to be given to Pakistan. During a three-day visit to Ankara in mid-June, Pakistani Prime Minister Mohammed Ali was present at ratification of the Turkish-Pakistani agreement of April 2. The next day it was made known that he had reached accord with Turkish officials on measures to implement the treaty. Within a few days, representatives of the General Staffs of the two countries met to develop a mechanism for military cooperation.³⁰

The amount and kind of aid to Pakistan had not been made public at the date of writing, but it is to come out of \$75 million left over from last year's assistance program. The initial grant is expected to be no more than \$25 million for equipment and supplies. Pakistan has agreed that the arms will not be used aggressively and has committed itself to cooperation with the United States in control of trade with "nations which threaten world peace." Promises to participate in United Nations efforts for collective security and to supply to the

²⁹ *NYT*, Feb. 28, 1954 (editorial); *Statesman*, Jan. 2, 1954.

³⁰ *NYT*, Mar. 10, Apr. 3, 26, May 20, 24, June 15, 1954. For texts of the two agreements, see *Middle East Journal*, Vol. 8, Pp. 337-38 (Summer, 1954).

United States strategic raw materials available in Pakistan are also included. There is no provision for American bases in Pakistan.

Since all discussions took place in secret, there is no way of knowing for certain the stages through which the program evolved. There are, however, indications of a trend toward moderation as negotiations went on, and the actual composition of the program as it finally emerges may well have been influenced by the vigor of India's protests. Original news stories described negotiation of a "military alliance" involving "exchange of air bases for military equipment." The cost of bringing Pakistan's fighting forces up to full potential was estimated at \$250-500 million.³¹ According to Indian sources in December, the assistance was to include two or three flotillas of destroyers, 3,000 aircraft, equipment for an armored division, and thousands of American pilots and technicians. Later it was reported that bases would not be granted outright but "facilities to be operated only in case of war" would be constructed.³² The word "alliance" was soon replaced by "assistance" in discussion of the pact.³³

President Eisenhower's statement approving military assistance for Pakistan began with a reference to the Pakistani-Turkish treaty as "a constructive step toward better ensuring the security of the whole area of the Middle East."³⁴ Subsequent approval of arms aid for Iraq and efforts to broaden the Pakistani-Turkish pact to include other nations indicate a shifting from emphasis on "plugging the South Asian hole" to "stabilizing Middle East defense." The latter is an older and more cherished aim of American foreign policy than the former, and will certainly influence the kind of military expansion to be undertaken by the new ally.³⁵

IV

Thus, as far as this sphere of American strategic planning is concerned, India may become to a certain extent an extraneous element. From the time of Partition, the United States has looked toward cooperation with a mutually friendly India and Pakistan. In the early years American policy was directed primarily at solution of difficulties outstanding between the two nations. Many Americans continued to think of the whole subcontinent as a unit in the game of world politics. In the course of five years, two facts became evident: (1) India and Pakistan had emerged as distinct and separate states, each determined to go its own way, with little likelihood of early settlement of their conflicts, especially that over Kashmir; and (2) India's policy was becoming one of strict neutrality and she aimed at the spread of this policy over as much of Asia as possible. The choice forced on the United States was obvious, and even before the outbreak of fighting in Korea we had begun to move toward a new approach to the problem of South Asia. India's attitude during and at the conclusion of the Korean fighting and her growing neutralism, coupled with recognition and

³¹ *NYT*, Nov. 17, Dec. 20, 1953.

³² *London Times*, Dec. 31, 1953.

³³ *e.g.*, *NYT*, Dec. 24, 1953 (Arthur Krock).

³⁴ *NYT*, Feb. 26, 1954.

³⁵ For a discussion of the implications for the Middle East of the new agreements, see James W. Spain, "Middle East Defense: A New Approach," *Middle East Journal*, Vol. 8, Pp. 251-66 (Summer, 1954).

support of Red China, gave impetus to the American search for a different solution. Ambassador Bowles' close contact with Indian officials and his assurances of admiration and friendship temporarily checked the widening gap between Indian and American policies and smoothed the difference over in the public eye. With the advent of a Republican administration, a sterner, although still friendly, approach to India appeared, and Prime Minister Nehru's objections to all "cold war" maneuvering were not allowed to influence American foreign policy. The government and people of India, insufficiently aware of the undercurrents of the preceding years, were taken by surprise with the Pakistani-American overtures of late 1953. A feeling of outrage and betrayal was immediately evident. The very violence of Indian opposition put the United States in a corner as far as international prestige was concerned. Prime Minister Nehru's unqualified denunciation, while quite consistent with his own ideology, left the United States no "out." It had to bow to Indian pressure and drop all consideration of military aid to Pakistan or force it through in spite of Indian objections. As was quickly pointed out, rejection of Pakistani overtures would mean a death blow to American hopes for other Asian countries to join in defense measures with the West.³⁶

From the American viewpoint, the "tying-in" of Pakistan with the worldwide defense scheme is perfectly consistent with established policy. President Eisenhower pointed out when he announced approval of it: "I have said repeatedly that regional groupings to ensure security against aggression constitute the most effective means to assure survival and progress." This echoes the foreign policy views of the previous Democratic administration. The American record to date has shown an eagerness, at times almost unbecoming, to welcome any nation desiring "to stand up and be counted." Tito's Yugoslavia and Franco's Spain have been brought in. American planners pushing for greater defense efforts in Europe, Southeast Asia, and the Pacific must have been acutely aware of the effect on world opinion of a refusal to accept Pakistan, which came with a clean record. Such a move would inevitably be interpreted as signifying a change in United States policy. The most likely explanation would be that American fear of Soviet aggression had lessened and that it was no longer deemed necessary to continue defense planning at such a high intensity. If the fear of further alienation of already neutralist India was greater than the fear of Communist attack against a weak point in the defense ring, must not the "cold war" be tapering off?

The assumption from this is that the United States in the future will promote the development of leaders in the Middle East and support regional efforts at indigenous groupings around them rather than attempt to make separate bilateral arrangements with each country concerned. The need for defense preparations, particularly in the eastern part of the area, is made all the more acute by the almost certain existence of a growing source of hostile strength beyond the mountains to the north.³⁷ The effectiveness of the current steps can be judged from the series of sharp notes of warning sent by the USSR to Turkey, Pakistan, Egypt, and the Arab states in the third week of March, 1954. A

³⁶ *NYT*, Dec. 10, 1953.

³⁷ *NYT*, Dec. 28, 1953; *New York Herald-Tribune*, Jan. 24, 1954.

Western-sponsored Middle East military pact, said Moscow, would be considered "an unfriendly and even hostile act" against her.³⁸

American access to bases in time of war under formal treaty commitments presently stops in Saudi Arabia on the west and Korea and the Philippines on the east. No such commitment is included in the 1952 MDAP pact with Iran and the current one with Pakistan, nor is one likely to figure in any agreement signed with Iraq. Military planners tend to assume, however (and there is little reason to believe that they are not justified in doing so), that such facilities as might be available in Pakistan would be offered in case of a major war. This jumps the world-girdling circle another two thousand miles ahead in each direction to East and West Pakistan. When the range of modern military aircraft is considered, it is probably not rash to say that the circle has actually been closed.³⁹ Whatever may be the broader implications of Secretary Dulles' "instant retaliation" statement, it is likely that such action is now at least possible anywhere in the world.

It is seldom that a single action solves an entire problem in international relations, and there are still some question marks in this one. Burma and Ceylon, while being careful not to associate themselves with India's violent opposition to Pakistan, have shown no signs of rallying to the Moslem state as the focus of a new alignment in South Asia committed to the West. The lasting effect on Indian-American relations of the alliance with Pakistan cannot yet be calculated. The only immediate reaction was Prime Minister Nehru's call for withdrawal of American members of the United Nations Commission on Kashmir and his statement that in the future India would rely less on foreign aid.⁴⁰

Of incidental interest is a case of the "unintended effect" in international relations. President Eisenhower's letter to Prime Minister Nehru after aid had been approved for Pakistan was meant to be conciliatory. It offered a similar program of military assistance to India. Prime Minister Nehru had frequently stated his opposition in principle to the idea of military aid and received the letter in another light. Said he: "In making this suggestion, the President has done less than justice to us or to himself. If we object to military aid being given to Pakistan, we would be hypocrites and unprincipled opportunists to accept such aid ourselves." This echoed Indian reaction to President Eisenhower's earlier assurance that the United States would be most cautious about doing anything for Pakistan that might create "unrest or hysteria" in India. "We are not a hysterical people," responded an Indian Foreign Office official.⁴¹

The gears clashed again when it was revealed a few days after approval of military aid for Pakistan that a small team of American military technicians were already actually in India training Indian Air Force men in the operation of the U. S. C-119 "Flying Boxcar," twenty-six of which are being purchased by India, necessarily with the help of the United States government.⁴²

³⁸ *NYT*, Mar. 20, 24, 1954.

³⁹ *NYT*, Jan. 24, 1954 (see map).

⁴⁰ *NYT*, Mar. 2, 7, 15, 16, 1954.

⁴¹ *NYT*, Mar. 2, 1954.

⁴² *NYT*, Mar. 5, 1954.

British support for the Pakistan-United States-Turkey arrangement was late in coming and half-hearted at best. The extension of direct American influence into an area long an exclusive British responsibility and the shifting of the center of interest from Suez, where the British needed support against Egyptian demands for evacuation, to Turkey and Pakistan, where British interests are no longer strong, are apt to be sources of irritation to Anglo-American relations in the area. Formally, however, all was well. Anthony Eden in the House of Commons welcomed "reinforcement of the ties of friendship" between an ally, Turkey, and a member of the Commonwealth, Pakistan. A few days later when the U.S.-Pakistan agreement was announced, a Foreign Office spokesman expressed approval of "anything enabling a fellow member of the Commonwealth to make an increased contribution to the defence of the free world."⁴³

One other lesson may be drawn from the events of November, 1953-February, 1954: seldom does anything in international relations move in a straight line. In the midst of recriminations, India and the United States signed a \$20 million project agreement under the \$89 million American aid program for the current year in India. While their two prime ministers were exchanging charges, India and Pakistan reached agreement on long-outstanding disputes over refugee bank deposits and division of railway equipment. Resumption of the Lahore-Amritsar rail connection, the tracks of which had been torn up after Partition, was also agreed upon. Although negotiations eventually ended without success, the committee working out the terms of the August, 1953 agreement for a Kashmir plebiscite at one point reached greater accord than ever before.

It seems fair to conclude that the series of events discussed has contributed to the sharpening of certain important trends in international relations. Chief among these are: (1) the American effort to counter the threat of Soviet aggression by development of defensive strength on a worldwide basis continues and is increasing rather than decreasing in vigor; (2) for the achievement of this aim, the regional alliance rather than the United Nations is the main instrument; (3) the United States is acting strongly in opposition to the development of a neutral "third block" in world politics; (4) with less historical reason than its European allies, the United States has assumed responsibility for the organization of defense efforts in the Middle East (and indeed in all of Asia); (5) the focus of interest in that area is shifting from the Arab-dominated west to the Turco-Pakistani-dominated east; and (6) India has been further isolated from the West, and a severe blow has been dealt to her policy of neutralism for Asia and her aspirations for leadership of that continent.

⁴³ e.g., *London Times*, Jan. 12, 1954 (editorial); *Manchester Guardian* cartoon by Low reprinted in *NYT*, Mar. 14, 1954; Hansard's *House of Commons Debates*, Feb. 22, 1954, p. 14; *Dawn*, Feb. 26, 1954. After Anglo-Egyptian agreement had been reached on the Suez base, however, the *London Times* in an editorial of August 4, 1954 found itself able to refer to "the Karachi-Ankara axis, with its realistic attitude toward the power-vacuum in the Middle East, so attractive even to countries which [hitherto] hesitated to join it out of respect for Egyptian opinion."

MASS ORGANIZATIONS IN MAINLAND CHINA*

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One of the major causes of the success of the Chinese Communist party is its effective organization and indoctrination of the masses at the grass roots, primarily through a myriad of mass organizations. A study of these organizations in mainland China is significant for a number of reasons. First, in a country like Communist China where the degree of bureaucratization and centralization is high and where mass organizations serve in many respects as a principal medium between government and party policies and the people, the basic programs and policy shifts formulated by the leading organs of these organizations often indicate the direction of the political wind. Second, while details of decisions and deliberations made at meetings of government and party organs are painstakingly guarded, information regarding the programs, activities, and leadership of the mass organizations is more available. Third, by an examination of these mass organizations, we may, to some extent, evaluate the attitudes and reactions of different social classes and groups in present-day China and at the same time observe the techniques employed by the CCP in social communication and political indoctrination.

There are more than a score of mass organizations set up on a national basis (for information on some of these see Table I). The more important ones are the All-China Federation of Trade Unions (ACFTU), the New Democratic Youth League (NDYL), the All-China Federation of Democratic Women (ACFDW), the All-China Federation of Literature and Art, the All-China Federation of Democratic Youth, the All-China Students' Federation, the All-China Association of Industry and Commerce, the Sino-Soviet Friendship Association, and the peasant organizations. Due to their relative importance and the availability of information concerning them, the labor, youth, and women's organizations will receive primary attention in this discussion.¹

I. ORGANIZATIONAL STRUCTURE OF THE MASS ORGANIZATIONS

The overall organizational principle governing almost all the mass organizations takes the form of what the Communists have labeled "democratic centralism." This Leninist concept of organization may be illustrated by the article on organization in the current Constitution of the ACFTU, which stipulates:

* This is a revised version of a paper presented at the 6th Annual Convention of the Far Eastern Association at New York on April 15, 1954. The author is grateful for the suggestions made by scholars on China at that time and subsequently.

¹ For a previous article in English on mass organizations in mainland China, see A. Doak Barnett, "Mass Political Organizations in Communist China," *The Annals of the American Academy of Political and Social Science*, Vol. 277, pp. 76-88 (Sept., 1951).

TABLE I. INFORMATION ON TEN PRINCIPAL MASS ORGANIZATIONS IN MAINLAND CHINA*

Name	Head	Founded	Membership† (in millions)
All-China Federation of Trade Unions	Lai Jo-yü (CCP)	May 1, 1922	11
New Democratic Youth League	Hu Yao-pang (CCP)	April 11, 1949	12
All-China Federation of Democratic Women	Ts'ai Ch'ang (CC, CCP)	March 24, 1949	76 (1953)
All-China Federation of Democratic Youth	Liao Ch'eng-chih (CC, CCP)	May 4, 1949	21‡
All-China Federation of Cooperative Workers	Ch'eng Tzu-hua (CC, CCP)	July, 1950	120
All-China Federation of Literature and Art	Kuo Mo-jo (Leftest Writer)	July 19, 1949	
All-China Students Federation	T'ien Te-min (CCP)	March 6, 1949	3.3 (1953)
Children's Pioneer Corps of China		October, 1949	8
Sino-Soviet Friendship Association	Liu Shao-ch'i (Politburo, CCP)	October 5, 1949	68 (1953)
All-China Assoc. of Industry and Commerce	Ch'en Shu t'ung (Shanghai Industrialist)	October 30, 1953	

* A full list of the mass organizations in mainland China would need to include the All-China Federation of Natural Science Societies, Association for the Popularization of Science, Society of Political Science and Law of China, Society of Philosophy of China, Historical Society of China, New Economic Society of China, People's Association of Foreign Affairs, Association on Finance, Committee for the Promotion of International Trade, The Red Cross of China, The China Welfare Association, The China Relief Association, Committee on the Protection of Children, All-China Athletic Committee, Chinese People's Committee for World Peace, Buddhist Association of China, Islam Association of China, Association on Moslem Culture, Sino-Indian Friendship Association, and the Sino-Burmese Friendship Association.

† Estimated summer, 1954, except where otherwise indicated.

‡ Including 12 million Youth Leaguers

(1) the leadership organs of trade unions at all levels shall be produced by democratic election from below and make periodic reports to members on the work performed; (2) trade union organizations at all levels must carry out their work in accordance with the Constitution and resolutions of trade unions; (3) all decisions of trade union organizations must be passed by majority vote of members present; and (4) trade union organizations at the lower level shall obey those of the higher level.

These provisions ensure that the leaders of the hierarchy have an effective control and veto power over the program and personnel at all levels under them. The individual members have some voice in the basic branches, such as a women's association in a village or a trade union in a factory. But at national, provincial, municipal, county, and district levels, authority is centered in the executive committee, or, in effect, in the chairman or secretary-general.

Legally, the highest authority in the mass organizations is vested in the national congress. The congress is scheduled to meet every three or four years but is generally convened at longer intervals. The duties and rights of the congress are usually (1) to examine and approve the reports of the central committee; (2) to examine and revise the constitution of the organization in question; (3) to discuss and define policy and current tasks of the organization; and (4) to elect the central committee. During the recess of the congress, authority is vested in the central committee or, as it is called in some mass organizations, the executive committee. However, since the central committee meets only about twice a year, the real loci of power are the standing committee (called presidium in some organizations) and the central secretariat.

The division of labor in the leading organ and the nature of its major activities may be seen in the organizational structure of the Standing Committee of the ACFDW, though there are, of course, certain modifications in the case of other mass organizations. The women's federation has departments for urban work, rural work, propaganda and education, women and child welfare, international liaison, and publication, in addition to secretarial and personnel bureaus and an administrative office. The Central Secretariat is defined as an organ to "take care of routine business under the direction of the Standing Committee." However, an examination of the membership of the secretariat of many leading mass organizations reveals that this organ invariably includes the most powerful figures in the organization, most if not all of them party members. Thus a standing committee may take in some non-party members in a display of "united front," but the actual planning and direction of major policies will be done in the more exclusive and compact central secretariat.

Aside from membership in the central secretariat and, of course, the chairmanship and vice-chairmanships, other key posts in a mass organization are the head of the organization department and the chiefs of the planning bureau and the personnel department in the standing committee. These vital positions are, as a rule, occupied by party members.

A general trend in the structural aspect of these leadership organs, noticeable during the national congresses of the major mass organizations in the summer of 1953, is the expansion in size of both the central and the standing committees. For example, membership of the Central Committee of the ACFTU increased from 51 in 1949 to 98 in 1953; that of the NDYL, from 45 to 143; and that of the ACFDW, from 55 to 125. The number of members of the Standing Committee or Presidium in the labor federation increased from 14 to 24; in the Youth League, from nine to 21; and in the women's federation, from 17 to 25. This phenomenon is probably a reflection of both the rapid increase in membership and the party's technique of absorbing new and younger cadres into the hierarchy.

The organizational features of these mass organizations at the regional and local levels follow the general pattern of the national organs. The supreme authority is theoretically vested in the congresses at the regional, provincial, municipal, county, district, and village or street levels, but the actual power is

wielded by the executive committee, or rather its chairman and secretary. On the other hand, this does not necessarily mean that these few leaders are the only ones working for the organization. On the contrary, maximum participation in the activities of the organization is constantly urged on the members, who are offered both material and psychological incentives to carry out the programs. The regimented and crowded programs must be exhausting to many members, but they also serve as new channels for releasing the latent energy of numerous persons who, in traditional China, had little or no opportunity to participate in group activities.

Numerically, the mass organizations in Communist China have shown swift development since the formation of the Central People's Government on October 1, 1949. The total membership in the leading organizations, as last reported in the summer of 1954, is as follows: 11 million in the trade unions; 21 million in the federation of youth, including 12 million youth leaguers;² 76 million in the women's federations; three and a half million in the students federation; and 88 million in the peasants' associations. Even children between seven and 15 have been organized into a Pioneer Children's Corps, which has a membership of eight million. The total number of people controlled and influenced by the major organizations, allowing for duplications, would probably exceed half of the adult population in China. Qualitatively, however, such galloping expansion in organization cannot but have an adverse effect. This was admitted by Hu Yao-Pang, new chairman of the Youth League, when he made the statement in July, 1953 that:

In some places, numerical strength is overemphasized in the expansion of the League; thus the requirement [for membership] is lowered. As a result, some members do not possess the necessary qualifications and a few undesirable elements have infiltrated into the organization. . . .³

Many problems appear to have derived not merely from the lowered standards of membership, but from the intrinsic character of Communist organization, although this may not be recognized by the party leaders. For example, Li Ch'ang, fourth ranking member of the Youth League, complained at the Congress last year that:

The phenomenon of deciding important problems by a secretary alone or a few committee members without discussion at League committee meetings must be rectified. . . . League discipline will absolutely oppose and resolutely correct the acts of a few cadres who show an indifferent attitude to, or even suppress, criticisms by retaliating against the critics.⁴

Li and other party leaders may fail to realize the fact that as long as the concept

² See Hu Yao-pang, "Call to China's Youth to Build Socialism," NCNA, Peking, May 4, 1954.

³ Hu Yao-pang, "Rally the Nation's Youth and March Courageously toward National Construction," Report to the 2nd Congress of the NDYL, *Jen-min jih-pao* [People's Daily, *JMJP*], July 6, 1953, p. 3.

⁴ Li Ch'ang, "Report on the Revision of the Constitution of the NDYL of China," *JMJP*, July 7, 1953, p. 3.

and practice of Leninist elitism prevail, there is little institutionalized check to prevent arbitrary decisions by the leaders. So long as the power of decision is concentrated in the hands of a few, ordinary members will often be reluctant to assume initiative and offer suggestions, although theoretically they are encouraged to do so.

II. LEADERSHIP IN THE MASS ORGANIZATIONS

The roster of leading personalities⁵ in the mass organizations of mainland China is available in a number of English sources, such as the *Current Background* materials issued by the American Consulate General in Hong Kong and S. B. Thomas's *Government and Administration in Communist China*, published by the Institute of Pacific Relations in November, 1953. This article will merely present some comments on a few significant points in the leadership of these mass organizations.

The Dominant Position of Party Members and the Question of Intra-Party Struggle. The first and most obvious aspect is the dominant position occupied by CCP members in the leadership of the major mass organizations. Although party cadres in every mass organization are in the numerical minority, they hold most of the key positions and are able to exercise a decisive influence. For example, the chairman of the women's federation is Ts'ai Ch'ang, regular member of the CC, CCP. The All-China Federation of Democratic Youth is headed by another CC member, Liao Ch'eng-chih. The chairman of the Sino-Soviet Friendship, which has a reported membership of 68 million, is Liu Shao-ch'i, heir apparent to Mao Tse-tung. Lai Jo-yü, who replaced Ch'en Yün (a member of the Politburo) and Li Li-san as the boss of the labor organization, and Hu Yao-pang, who replaced Feng Wen-pin as head of the Youth League, are both veteran party men, although they are not well known to people outside of Communist China.

In the light of the personal background of Ch'en Yün and Li Li-san, this abrupt change of leadership naturally raises the following questions: (1) Is it a part of a general party purge? (2) Does it represent a split in the top command of the CCP, since Ch'en Yün is a ranking member of the Politburo? (3) Could it be an indication of an open friction between Peking and Moscow? (4) Does it symbolize a struggle for power among CCP leaders?

So far as available data show, the answer to the first three questions at this moment is in the negative. From the *1953 Jen-min shou-ts'e* [People's Handbook of 1953], published in Tientsin in July, 1953, and the *1954 Shih-chieh chih-shih shou-ts'e* [Handbook on World Affairs, 1954], published in Shanghai in March, 1954, we find that both Ch'en and Li retain important party and government posts. Ch'en Yün is still holding all his major positions. Li Li-san is serving in half a dozen jobs which, unlike those held by Ch'en, are important but not vital. These jobs include: (1) member (one of 62), Central People's Government Council; (2) member (one of 55), Financial and Economic Committee, CPG;

⁵ For names of the heads of 10 major mass organizations, see Table I.

(3) vice-chairman (one of 5), Committee on Employment, CPG (of which Lai Jo-yü, new Chairman of the ACFTU, is a member); and (4) member, Executive Committee, Sino-Soviet Friendship Association. Recent news bulletins from China also show that Ch'en is politically active in 1954,⁶ although Li seems to fade away more and more. The above facts seem to negate the supposition that the sudden shift of top leadership of the ACFTU in May, 1953 represented a general party purge or a break among some members of the party hierarchy. Moreover, the prestige of Mao Tse-tung is so great and personal relations of the politburo members so close, that it is hard to envisage any serious rupture now in the top command of the CCP. The continuously close economic and political relationship between the USSR and China does not seem to suggest any open disunity between Peking and Moscow at this moment.

Interlocking Directorship in the Leading Organs of the Mass Organizations. The second salient characteristic of the leadership of the mass organizations is its interlocking nature in the leading organs. A dozen or two familiar names crop up often in a number of organizations. For example, Liao Ch'eng-chih (CC, CCP) is found to occupy the following posts concurrently: Chairman, Federation of Democratic Youth; Vice-Chairman, Youth League; Vice-Chairman, National Committee for the Protection of Children; member, Standing Committee, Committee on World Peace; and member, Executive Committee, Sino-Soviet Friendship Association. Hu Yao-pang, chairman of the Youth League, is also on the Executive Committee of the trade union federation and several other organizations. This is the case not only with top leaders like Liu Shao-ch'i, Kuo Mo-jo, Soong Ching-ling, and Li Te-ch'üan, but also with some middle-echelon cadres. Ho Chien-hsiu, the famous model textile worker, for example, was elected to the executive committees of youth, labor, and women federations. Since 1953, especially after the anti-five-too-many movement (i.e., against too many tasks, too many meetings, too many documents and forms, too many organizations, and too many concurrent posts for the cadres) launched in July, 1953, the cases of duplicated directorship in the mass organizations in the lower echelons have manifestly been reduced. Lists of current members of the leading organs of the major mass organizations already show considerably less duplication in names, compared with those elected at the first congresses in 1949. There also seems to be a tendency to put party cadres with administrative experience in charge of the leadership of the mass organizations. Both Lai Jo-yü and Hu Yao-pang, for example, served as regional administrators before becoming the heads of the ACFTU and NDYL, respectively.

The Process of Recruiting and Training Cadres in the Mass Organizations. Top

⁶ In a speech commemorating the anniversary of Stalin's death on March 5, 1954, Ch'en Yün stated that socialism could install itself in one country at a time, and that this policy would require Communist parties in other countries to make a temporary but necessary retreat when one socialist country (such as the USSR between 1921 and 1941) built up her strength peacefully. Chinese text in *JMJP*, March 6, 1954, p. 1; see also *Christian Science Monitor*, March 9, 25, 1954.

attention is being paid by the mass organizations to recruiting and training the activists among the members as future leaders of the organizations. Special schools for training and indoctrination were set up by the leading mass organizations. For example, some 50,000 persons graduated in 1953 from 60 cadre schools of the trade unions, and 15,000 persons were sent by the basic trade union branches to the party, government organs, Youth League, and trade unions at higher levels to serve as cadres.⁷ In the case of the Youth League, up to June, 1953, 550,000 cadres completed their training in 31 League Schools. The major indoctrination center is the Central League School, established in 1949 at Peking. Between April, 1949 and June, 1953, more than a million leaguers became party and government cadres; among these 40,000 served in posts above the ch'ü (district) level.⁸

A concrete example of recruiting and training local cadres can be seen in the case of T'an Ch'un-hua, a much publicized cadre of the women's federation. T'an is a young peasant woman of Kiangsi province. She led the women of her village to join in dike repair work in May, 1949, thus saving the district from flood. Since then she has taken an active part in all agrarian programs sponsored by the Peking government, such as elimination of insect pests, anti-drought work and redistribution of land. She was repeatedly given material rewards, as well as public recognition. In 1950, she was put in charge of the women's work in her village and in June, 1952, she became the chairman of the federation branch in the entire district. She was sent to a short-term training course in the county seat in August, 1952, and was admitted to the CCP in September. At the end of 1952, when the Sixth People's Representatives' Conference of the county where she resides was convened, she was elected a deputy magistrate. In July, 1953, a story about her appeared in the *Hsin-Chung-kuo fu-nü* [Women of New China], organ of the Federation of Democratic Women; another biography may be found in *People's China*.⁹ Thus the mass organizations are instrumental in absorbing the more active elements among the people as their cadres, eventually enrolling them in the service of the government and party.

The Non-Party Leadership in Professional and Scientific Organizations. As an exception to the rule, many scientific and cultural societies are headed by professional, non-Communist scholars. For example, the All-China Federation of Natural Science Societies is headed by Dr. Li Szu-kuang, British-educated geologist. The chairman of the People's Association of Foreign Affairs is Professor Chang Hsi-jo, who received his Ph.D. at Columbia University in the twenties. These facts suggest (1) a shortage of top-flight specialists among party members at this moment; (2) a continuation of the party's policy of utilizing the talent and prestige of non-party experts; and (3) support of or acquiescence in the programs of the party by many leading Chinese intellectuals.

⁷ Reported in *Ta-kung pao*, Tientsin, May 1, 1954, p. 2.

⁸ Hu Yao-pang, *op. cit.* p. 3.

⁹ Hsia Han, "Peasant Women T'an Ch'un-hua Became a Magistrate," *Hsin-Chung-kuo fu-nü* [Women of New China], No. 7, 1953, July 9, 1953, pp. 18-19; and *People's China*, May 16, 1953, p. 30.

III. PROGRAMS AND FUNCTIONS OF THE MASS ORGANIZATIONS

Mass Organizations as Instruments for Propagating and Implementing Governmental and Party Policies. As mentioned previously, programs of the mass organizations not only reflect the policies of the government and party, but also serve as vehicles for their propagation and implementation. Mass organizations played a key role in such major movements as the agrarian reform, the campaign to increase production and practice economy, the three-anti and five-anti movements, among others. At this moment (Summer, 1954), the activities of the mass organizations indicate that five major programs are currently receiving top attention by the government and party: (1) the first five-year plan and production-increase movement in industry and agriculture;¹⁰ (2) the election of people's congresses to form eventually the All-China People's Congress and to promulgate the national constitution in the autumn of 1954 (see below); (3) the popularization of education, especially the training of technicians and the elimination of illiteracy;¹¹ (4) the recruitment of youth with secondary or college education for the military academies; and (5) the acceleration of the socialization of the economy, as evidenced by the publishing of the "new general line of the state."

The first four programs are well known and some of them have been discussed in other publications. The fifth program, the "new general line of the state," is worth discussing here, not only because it is getting top billing in all the mass organizations in mainland China, but also because it has tremendous political significance. The editorial of the *Chung-kuo ch'ing-nien pao* [Journal of Chinese Youth] of New Year's Day, 1954, states that "the general line of the state during the transitional stage, and the basic tasks of the first five-year plan which implement concretely this general line, are the direction and goal of our action." Similar statements can be found in the publications of other mass organizations.¹² Some observers interpret the new line as a bugle call for the liquidation of private industry and commerce and an all-out effort for collectivization of farms. To evaluate such a conclusion, we must first ascertain what this "general line" is.

The first official proclamation of the general line is found in an editorial of

¹⁰ Particular emphasis is assigned by all mass organizations to the promotion of technical innovations in industry, to organized farming, and to emulation contests. For detailed examples, see Youth League's Directive of May 4th, *JMJP*, April 10, 1954, p. 1; editorial in *Chung-kuo ch'ing-nien pao* [Journal of Chinese Youth], April 15, 1954; and editorial in *Hsin-Chung-kuo fu-nü* [Women of New China], Feb. 28, 1954.

¹¹ The Committee to Eliminate Illiteracy, set up on November 20, 1952, plans to remove illiteracy among employees in government organs before 1956, among industrial workers before 1957, among young peasants and workers before 1960, and among all the populace within 10 years. Literacy is defined by the Committee as the learning of 2,000 Chinese characters, knowledge of phonetic symbols, and the ability to write short essays of 300 to 500 words.

¹² For some examples, see Tung Pien, "Educating the Young Rural Women to Serve Contentedly in the Socialist Reform Work in Agriculture," *Hsin-Chung-kuo fu-nü* [Women of New China], No. 52, Feb. 28, 1954, pp. 8-9; and editorial, "Educating the Rural Youth on the General Line [of the State]," *Chung-kuo ch'ing-nien*, Vol. 131, Feb. 16, 1954, p. 1.

the *Jen-min jih-pao* [People's Daily] of October 1, 1953, which, in answer to the question "what is this general line of the state during the transitional stage?," writes that:

The answer to this question is given in one of the slogans commemorating the 4th Anniversary of the Founding of the People's Rep. of China promulgated by the National Committee of the CPPCC (on the eve of October 1, 1953). It (the slogan) says that "we must, over a considerably long period of time, gradually carry out socialization and industrialization of the nation, gradually realize the socialist reform of agriculture, handicrafts industry and private enterprise." This great and glorious historical task is laid down in principle in the *Common Program* (of September 1949). But after the development in the actual livelihood of the people in the past four years, the task has now become more concrete. . . .

Another significant passage, in an article by Teng To, states that "the new democratic society is the transitional form within the framework of which takes place the gradual transition to Socialism."¹³

These official interpretations of the "general line" seem to indicate that it signifies a stepping up of the tempo of socializing industry and agriculture through greater governmental control of major enterprises and more extensive organization of agricultural producers' cooperatives. However, it is doubtful whether one may go so far as to say that this new line announces the termination of the New Democratic stage in China and the beginning of the socialist era. The party obviously still considers the present period a transitional one. Although the practical effect depends a great deal on the degree of intensification of the socializing measures, this theoretical difference is a basic one and has important application in practical programs. Liu Shao-ch'i, discussing the same problem in his report to the 4th Plenum of the CC in February, 1954 stated:

The propagation of this general line by the Party has resulted in its enthusiastic support by the overwhelming majority of the people, in the absolute superiority of the socialist thought in the nation, and in a severe criticism of the bourgeois ideology.

This clearly indicates the psychological functions assigned to this general line. By emphasizing the theme that China is advancing toward socialism in a transitional stage, the party aims to convince the population, especially the private entrepreneurs, individual peasants, and cadres, that their individual interests must be subordinated to this overall goal and that any resistance to organized farming or state control of economy is against the tide of the time.

An example of this policy is seen in Article 10 of the Draft Constitution, which states that "the state protects the ownership of means of production and other property by capitalists according to law. The policy of the state toward capitalist industry and commerce is: to use, restrict and transform."¹⁴ In agriculture, the right of peasants to own land and other property is also safeguarded in the 1954 Draft Constitution.¹⁵

¹³ "China's General Line of Transition to Socialism" *People's China*, January 1, 1954, pp. 5-9.

¹⁴ *New York Times*, June 18, 1954, p. 3. Chinese text in *China Daily News*, New York, June 22, 1954.

¹⁵ Article 8. See *Christian Science Monitor*, June 18, 1954, p. 17.

Welfare and Cultural Programs of the Mass Organizations. In addition to the above general programs, each mass organization maintains a series of welfare and cultural activities. One example is the labor insurance program managed by the trade unions. It provides various benefits such as sick leave with pay, 56-day maternity leave with pay, free medical treatment, and pensions. According to Communist data, the Peking government spent more than 63 million US dollars for labor insurance in 1952 and 4.2 million workers came under such protection at the end of 1953. On the other hand, there are reports that labor insurance funds were improperly used in some cities and that a few unions accumulated great amounts of insurance funds without doing much for their members. Other reports maintain that more than 1,344 sanatoria, 1,566 nurseries, and 4,072 workers' clubs were established by trade unions at the end of 1953 (figures do not include those in Central-South China).¹⁶ In 1952, about 115 million US dollars were spent in building living quarters to accommodate a million workers. According to the reports of the women's federation, women in China are enjoying opportunities to join literacy classes and to go on to advanced studies, as they never could before. In 1952, women reportedly constituted about half of the 50 million students in winter schools in villages and 24 million pupils in spare-time schools for peasants. In the Spring of 1953, there were some 30,000 maternity hospitals and stations, and 269,000 mid-wives received modern training. At the end of 1952, there were 2,738 nurseries in the government organs, 4,346 street nurseries in the cities, and 148,000 "baby-sitting" groups in the rural areas. The last group took care of a reported 850,000 children, and about 21,000 nursery attendants had been trained by the summer of 1953.

The welfare program of the mass organizations is implemented by cultural and recreational activities which are simultaneously utilized as instruments for political propaganda and indoctrination. According to a report of the federation of trade unions in 1953, their Workers' Publishing House published, from September, 1949 to March, 1953, 339 different kinds of books and periodicals, totaling more than 35.5 million volumes. Under the joint sponsorship of the trade unions and the government, 16,277 spare-time schools were set up with a total enrollment of 3,087,000 workers, and 535,000 illiterate workers learned to read and write. More than 6,000 libraries were set up by the trade unions by the end of 1953.

The progress reports of these mass organizations do not necessarily, of course, depict the actual situation. Due to lack of neutral observation and studies, the statistical data cannot be checked. It is true that the various mass organizations are likely to try to win greater popular support by sponsoring programs that are needed and welcomed by the masses. However, there can be a gap, and sometimes quite a wide gap, between the plans and the actual results, or between the intentions and the achievements, of any organization.

Other Major Functions of the Mass Organizations. The leading mass organizations carry out a number of other major functions. (1) They provide multitudes

¹⁶ *Ta-Kung pao*, Tientsin, May 1, 1954, p. 2.

of non-Communists, particularly members of a dozen or so "third parties," with channels to release their energy and ambition. This involves little political risk to the Communist party because the key positions in the mass organizations are generally in the hands of party members and their programs follow closely those mapped out by the CCP. The United Front Department in the CC, CCP, headed by Li Wei-han, often plays a major role in deciding what part third party personnel should play in the mass organizations. (2) They perform a key function in the security system of Communist China. Members of the labor, youth, and women's organizations are active in the village militia system, committees on public security, and the "movement to suppress counter-revolutionary activities." (3) A number of mass organizations maintain close liaison with their respective Communist-dominated international bodies and often carry out programs coordinated by these world organizations. For example, the Preamble of the Constitution of the ACFTU concludes with this paragraph:

The trade unions of China must constantly educate the workers in internationalism and actively take part in the international working-class movement.

There is constant exchange of emissaries between the Chinese labor, youth, and women's organizations and their world-wide counterparts like the World Federation of Trade Unions, the World Federation of Democratic Youth, and the World Federation of Democratic Women. (4) Mass organizations also help to create a climate of opinion in China which facilitates the implementation of party or government platforms. A passage in the Directive on the Celebration of the Youth Festival, issued by the Youth League on April 8, 1954, illustrates this point. The League's Central Committee instructed that:

The League branches in various localities must utilize all forms of propaganda media like newspapers, League tabloids, radio, etc., to publicize the advanced work methods and experience of young model workers and League members. Through such propaganda, the youth will be encouraged to work harder and learn more, and the League's work will be understood and helped by different strata of the society.¹⁷

IV. CONCLUDING COMMENTS

This last section attempts to depict some of the salient characteristics, trends, and problems of the mass organizations. Many supporting data must be omitted because of space limitations.

The Predominantly Political Character of the Mass Organizations. It has been shown previously how the mass organizations serve as means of propagating governmental and party policies. In fact, many organizations seem to be set up primarily to fulfill political functions. This is clearly manifested in the article on the duties of members in the Constitution of the ACFTU, which includes the obligation "to observe state laws and regulations, to preserve labor discipline, to protect public properties, and to make good efforts at political, technical and cultural studies to raise [the workers'] class consciousness and working

¹⁷ *JMJP*, April 10, 1954, p. 1.

ability." This makes all workers, including those employed by private enterprises, virtually government employees. Some of the larger mass organizations are in effect quasi-governmental establishments. They often receive government assistance, both tangible and intangible, in the form of a building for headquarters, favorable rates in telecommunication messages, and a voice in the local administration. In the management of many key government tasks, the leading mass organizations share an important role with the government, such as the current election of delegates to the people's representatives' congresses at various levels. In fact, the Election Law promulgated on March 1, 1953 explicitly states that:

The Communist Party of China, the various democratic parties, the various people's organizations and electors or representatives who are not affiliated with the above-mentioned parties or organizations, may all nominate candidates for election as deputies either jointly or separately according to electoral districts or electoral units. (Art. 47).

The results in the elections of the *hsiang* (village) and *ch'u* (district) people's congresses completed in mainland China thus far show that activists in the labor, youth, and women's organizations occupy a high percentage of representation in the local congresses.¹⁸ Another report indicates that delegates from youth organizations constituted about seven per cent in the municipal people's representatives' conferences in the 12 leading cities of China in 1953.¹⁹ It goes without saying that an organization that does not have the approval of the government cannot legally exist.

Emphasis on Propaganda and Indoctrination. Closely integrated with the effort to promote government programs by the mass organizations is the top attention paid to propaganda and indoctrination work. Here we may quote a report of Lai Jo-yü to the 7th Congress of the Trade Unions last summer:

The trade unions in the past few years have consistently educated broad masses of workers in the spirit of patriotism and internationalism. Particularly during the last year (1952) many trade union organizations have, in a comparatively systematic way, carried out Communist education among the workers and have repeatedly explained the identity of individual and state interests, thus establishing among them a correct attitude to labor and a strengthened labor discipline based on their consciousness and understanding that they are masters of the state.

The first duty for members listed in the Constitution of the Youth League is "to study Marxism-Leninism and Party policies and propagate them among the masses of youth."

The effectiveness and results of these propaganda and indoctrination programs, which vary with the specific issues and localities, and with the skill

¹⁸ See Hsiao Feng, "Election in the Countryside," *China Reconstructs*, March-April, 1954, p. 16; "Successful Conclusion of Basic Elections in the Various Regions," *JMJP*, April 28, 1954, p. 3; and "Reports on Basic Election in Rural Districts," *JMJP*, Feb. 20, 1954, p. 3.

¹⁹ Liao Ch'eng-chih, "Struggle for the Safeguarding and Construction of Our Fatherland," Report to the 2nd Congress of the All-China Federation of Democratic Youth, June 10, 1953.

of the propagandists and the nature of the audience, are difficult to establish. One report revealed that there were about three million propagandists organized in mainland China in 1953. Some of the factors deemed essential to effective propaganda are listed in a booklet entitled "How to Set up Propaganda Work," issued by the Federation of Trade Unions. They include the following points: (1) the contents of the propaganda must be tied in with actual conditions and problems of the workers; (2) close contact must be maintained between the propagandists and their audience in order to locate the latter's needs and interests; (3) fresh and lively materials should be supplied to the propagandists by the party and the management; (4) propagandists should be given proper training and status; (5) the media and style used to convey propaganda must be familiar to the audience; and (6) leading cadres should give personal attention to propaganda work.

Another example of the indoctrination technique at the basic level is seen in an article entitled "How Can a League Branch Secretary Establish Good Relations with the Masses."²⁰ It points out, among other things, that a branch secretary should win the confidence of the members of his cell by discovering the concrete problems that are bothering them, by learning from the merits of each member, and by making frank self-criticism to both Leaguers and non-Leaguers of his locality. The importance of having the propagandists give concrete illustrations, solve the pressing problems of the audience, and perform exemplary deeds is emphasized in many directives of the mass organizations.²¹

Technique of Organization and Social Communication. Another characteristic of the activities of the mass organizations is the practical and realistic approach to tackling issues and solving problems. These techniques of organization and social communication constitute a major factor for the success of many organizations and the party. For example, a directive issued by the Youth League on organizational method states that:

The work style and group life within the League must not rely on abstract political talk, nor the preaching of dry dogma. The League should use Marxism-Leninism to analyze correctly and solve the problems that are closely related to the interests of the youth such as the following: the problems of wages, health, job, sports and recreations, learning scientific knowledge, raising the cultural standard, tuition fees, student loans, examination system, love and social activities, family affairs, methodology in learning, books and texts, and the suitable distribution of time for work and for study. . . . All the meetings convened by the League for youth must be lively and concrete. . . .

Another report on "Experiences in the Mobilization of Women during the

²⁰ *Chung-kuo ch'ing-nien pao* [Journal of Chinese Youth,] April 3, 1954, p. 2.

²¹ For concrete examples on basic-level indoctrination and propaganda techniques, contents, and problems, see *Tsen-yang chieh-li hsüan-ch'uan-wang* [How to Set Up a Propaganda Network] (Peking, May, 1951); *Tsen-yang ts'o hsüan-ch'uan-yüan* [How to be a Propagandist] (Peking, May, 1951); *Kung-ch'ang chung ti hsüan-ch'uan ku-tung kung-t's o* [Propaganda and Agitation Work in the Factories], Shanghai Labor Federation, Oct., 1950; and *Fu-nu kung-t's o shou-ts'e* [Handbook on Women's Work], ACFDW (Shanghai, May, 1951).

"Agrarian Reform," issued by the women's federation, contains the following statement:

In the mobilization of rural women, work should be carried on simultaneously among the young, the middle-aged, and the old, in order that the merits of each age group may be fully utilized. For instance, the young women are easier to mobilize and can serve as spearhead in the movement; the mature women are steadier and possess good ideas, and once they are convinced, they are more firm and tenacious; the old have suffered more and are more experienced. They often become the leaders in the "speak bitterness" movement.

Directives of the mass organizations frequently quote cases to show their members how some model cadres successfully accomplish their mission by using practical approaches to programs and by consulting the local people.²² Numerous psychological techniques are used in propagating the programs of the mass organizations. Many cherished values such as security, national honor, prosperity, peace, and personal prestige are utilized to persuade the members as well as the audience. Those who succeed in carrying out the assignments of the organization for some difficult mission are given material rewards and public recognition. Various media, both traditional and improvised, are used to disseminate propaganda and stimulate enthusiasm among the masses. The tremendous psychological impact made by these media, though hard to measure, cannot be exaggerated.

In conclusion, it must be pointed out that the activities and impact of the mass organizations should be viewed and analyzed not in isolation, but as an integrated whole. The programs of all the mass organizations are, of course, closely coordinated and their specific problems often represent different facets of broader issues. With regard to the effect and influence of these organizations, it will be noted that the whole is often more than the sum of its parts. The all-encompassing impact of mobilizing a quarter of a billion people of various social classes simultaneously is incalculably greater than that of activating the same number one million at a time or social group by social group. It is also important to appreciate the psychological effect of the mass movement on the individual person. Although it is desirable to organize and evaluate data as cool-headedly as possible, it is imperative for one to keep in mind the human aspirations and frustrations that are generated or manipulated by these mass organizations, even if they are not shared or fully understood. One simply cannot afford to minimize the revolutionary impact and long-range significance of movements which embody the emotions and reactions of millions of human beings.

²² For details and examples of organizational methods at the grass-roots level, see *Ch'eng-shih fu-nü chi-chi feng-tzu ch'iao-ts'ai* [Text-book for Activists in the Urban Women's Movement], ACFDW (Peking, 1954), and *Hsüeh-hsi wu-san kung-ch'ang kung-hui kung-tso ching-yen* [Learn the Working Experience of the Trade Union in the Wu-san Factory] (Hankow, 1953).

REVISIONIST OPINION IN POST-TREATY JAPAN*

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Over two years have passed since the Japanese peace treaty came into effect and Japan once again embarked on a relatively independent course. In view of the unprecedented scope and method of the Allied Occupation, many divergent postaudits can be expected to emerge in the near future dealing with the relative success or failure of Occupation reforms and with post-treaty revisions made by the Japanese government.¹ Such studies can be valuable for the understanding both of Japanese domestic politics and of American policy toward Japan.

It is the purpose of this paper to analyze some results of a two-pronged voter and leadership survey of post-treaty Japanese political opinion made by the author between the fall of 1952 and the late summer of 1953. Few scholars would be bold enough to draw final conclusions on the Occupation from a one-year study of Japanese opinion, but history's verdict on the subject will be determined largely by native opinion rather than by the theorizing of foreign observers. And, in the first year after the treaty, certain patterns of Japanese opinion crystallized sufficiently to permit us to make tentative conclusions about Japanese revisionist attitudes.

Every attitude survey being limited by its methodology, a brief description of the methods employed in this survey will help the reader understand the discussion to follow. Due to financial and other problems of individual research operations, no attempt was made to carry out a nation-wide survey. Instead, two principal sample points were chosen on the basis of extreme variation in characteristics associated with political behavior.² A third point, approaching the national average on these characteristics, was used for pretest purposes. The two principal points were the city of Osaka, an industrial-commercial metropolis, and the Izumo area of Shimane Prefecture, an agricultural plain on the Sea of Japan. Okayama City was the third point included.

A probability sample of 500 voters was drawn from the registration lists in both Osaka and Izumo, while a sample of 328 voters was used in Okayama. About 88 per cent of these voters were interviewed, a standardized question-

* The survey on which this paper is based was financed by grants from the Social Science Research Council and the Center for Japanese Studies of the University of Michigan. Numerous Japanese officials, scholars, and university students cooperated in the field operations. Naturally, only the author is responsible for the conclusions stated herein. Much of the data in this paper was presented originally to the annual meeting of the Far Eastern Association held in New York on April 13, 1954.

¹ By far the best of these to date is Harry Emerson Wildes, *Typhoon in Tokyo* (New York, 1954).

² Since the overall focus of the survey was on political behavior, voting rates were considered as a prime factor in the choice of extreme sample areas. Osaka's voting rates averaged 55%, Izumo's 90%, and Okayama's 77% in postwar Diet elections. These were close to the national low, high, and median.

naire being used, which was developed on the basis of the pretest experience. While the three samples, totalling 1178, are large enough for most analysis on a point-by-point basis, the sampling error for sub-group data limits our confidence in a few of the very smallest sub-groups. At the time of the voter interviews, the author also held personal interviews with a random 1:3 selection of the elected officials in each of the three sample areas,³ using a variant of the voter questionnaire. Approximately forty local, prefectural, and Diet representatives in each of the three areas provided much insightful data on their own and their constituents' political opinions. All interviews were in Japanese.

Numerous checks of the survey data were made against Japanese survey material, interview data in other prefectures, and the more traditional data from observation and media analysis. These checks served to confirm rather than contradict the survey results presented herein. Both voter and leadership data are included in this paper, and a few leader quotations are given to illustrate points of view, but the full survey results are not immediately available.

To establish a framework of reference, let us begin with the leadership replies to the following question: "It may be too early to judge the overall effect of the Occupation on Japan during the past seven years but, considering both its good and its bad points, what is your general opinion of it?" This question was dropped from the voter questionnaire after the pretest proved it to be too general for voters. The responses of the leaders are summarized in Table I.

TABLE I. LEADERSHIP EVALUATION OF THE OCCUPATION BY SAMPLE AREA
AND POLITICAL ORIENTATION

Occupation Evaluation	Sample Area			Political Orientation*	
	Osaka	Shimane	Okayama	Right	Left
Strong Approval	20%	18%	12%	19%	10%
Weak Approval	35	38	32	38	26
Neutral	11	12	21	12	20
Weak Disapproval	10	9	29	11	29
Strong Disapproval	18	16	3	15	9
Don't Know	6	7	3	5	6
Total	100%	100%	100%	100%	100%
Number of Cases	41	46	34	90	31

* "Right" includes respondents affiliated with, or leaning toward, the Liberal, Progressive, and Green Wind Society parties; "Left" includes those affiliated with or leaning toward the Right and Left Socialist, Farm-Labor, and Communist parties.

The only difference among the three sample areas on this question is the smaller percentage of "strong disapproval" in Okayama. The greater degree of disapproval shown by left party affiliates is due to their opposition to the post-1948 switch in Occupation policy from reform to recovery. A detailed

³ All mayors, governors, and Diet members and one-third of all local and prefectural legislators.

study of the reasons given by leaders for their evaluation also shows that right party affiliates approved the Occupation more for material than for ideological reasons. No single reform measure was cited as good or bad by more than 13 per cent of either right-wing or left-wing leaders, but the rightists mentioned "material aid," "personal leniency," and similar virtues whereas the leftists mentioned "democratization," "renunciation of war," and other policy-oriented features of the Occupation. One hardy old Diet member from Okayama echoed the conservative view when he said: "Right after the war they went too far in opposing militarism and pushing democracy, but we are very grateful for all the material assistance." Another Liberal party leader complained that "Many American ideas were forced on Japan where conditions are very different. It was all a New Deal experiment which Japan as a nation cannot sustain." The leftist position, a reflection of the current anti-American sentiment of the Japanese left, was best summed up in this comment by the sole Communist member of the House of Representatives: "Democratization was carried out in the early period but this was all destroyed later and we no longer feel any gratitude for the early benefits."

This ambivalence on the part of both rightists and leftists in Japan today is greatly clarified when we proceed to specific Occupation reforms. For these questions we have both leader and voter data. The question of Japanese rearmament—revision of the spirit and/or letter of the demilitarization article of the Occupation-dictated Constitution of 1947—has been the most controversial domestic issue in post-treaty politics. Both voter and leader samples agreed that it was the most important issue in the October, 1952 and April, 1953 general elections and recent clarifications of his public position by Prime Minister Yoshida merely confirmed the wide chasm of right-left disagreement that had existed previously on the question. We asked our voter and leader respondents to categorize their overall opinion on the rearmament problem, permitting them to qualify their answers in sub-questions explained below. Table II shows the overall division on rearmament by the political party orientation of voters and leaders.

The leadership data, which for reasons of sample size cannot be reported by area and party simultaneously, shows a much sharper party division on rearmament than is revealed by the voter data. Conservative leaders gave almost unanimous approval to rearmament, usually defined as a "self-defense force," and two-thirds of the leftist leaders opposed rearmament, usually with greater force than their rightist associates favor it. In both Osaka and Shimane, there is a clear division of voter opinion along expected party lines. Even so, one-third of the conservative voters opposed rearmament, compared with about 60 per cent of the leftist voters. The non-voter category in urban Osaka leans close to the radical view on this question, whereas Shimane non-voters tend toward the conservative view if they express any opinion at all. This is consistent with the other characteristics of non-voters in the two areas. Those leftist leaders and voters who gave weak approval to rearmament are mostly from the Right Socialist party, which has taken a somewhat equivocal stand on this and other issues.

Rightist and leftist leaders were quite bitter about the reversal of the Ameri-

TABLE II. RELATION OF PARTY ORIENTATION TO ATTITUDES TOWARD REARMAMENT*

Self-Rated Attitude on Rearmament	Leaders		Osaka Voters			Shimane Voters		
	Right	Left	Right	Left	Non- Voter	Right	Left	Non- Voter
Strong Approval	23%	—%	11%	3%	8%	5%	4%	5%
Weak Approval	72	32	53	36	30	52	34	36
Weak Opposition	2	9	13	13	18	11	2	11
Strong Opposition	—	56	23	45	37	29	56	22
Don't Know or Not Ascertained	3	3	—	3	7	3	4	26
Total	100%	100%	100%	100%	100%	100%	100%	100%
Number of Cases	90	31	173	118	118	343	55	67

* The party orientation of the voter sample is based on reported party vote in the October, 1952 general election. "Right" and "Left" carry the same meanings as applied to those terms in the leader data, explained in the note to Table I. "Non-voter" includes 1952 non-voters and a few uncertain voters. Nine Osaka and three Shimane independent voters are omitted from this and subsequent tables as are all Okayama voter respondents.

can position vis-à-vis Japanese rearmament, for different reasons. One top Liberal answered: "You all forced us to disarm and now Dulles reviles us for not rearming faster! You've changed your position in the postwar world but you shouldn't have pushed us in such opposite directions." Sixty-five per cent of the right-wing leaders also approved revision of the Constitution to permit formal rearmament. Leftist leaders vigorously defended General MacArthur's original policy of a disarmed Japan and spoke only in praise of the "Peerless Peace Constitution."

It is clear, from further analysis not detailed here, that women voters oppose rearmament regardless of their party vote; that voters of low information levels are stronger opponents within each classification; and that younger voters of each party tend to be opposed. Sub-questions, dealing with the favored degree of rearmament, constitutional revision, and alternatives to rearmament, reveal that the "weak opposers" in the voter sample actually favor a self-defense force at about the present low level. Very few of those voters who expressed approval of rearmament wanted a full-blown Japanese army and navy; only 8 per cent of the Shimane voters who disapproved rearmament, and 17 per cent of that group in Osaka, favored the policy of "independent neutrality" advocated by the Left Socialist party.

The second issue that aroused wide public controversy during the year after the treaty was the government's proposal of an anti-strike law to limit strikes in public utility fields. Since the Occupation had done much to strengthen Japanese labor unions and the rights of labor generally, the left-wing parties which depend heavily on labor support in elections, opposed the anti-strike bill violently. Conversely, right-wing parties, which draw much support from the rural countryside as well as business circles, acted in response to widespread public complaints against utility strikes in such industries as coal and electric

power, where union leadership was outspokenly anti-government and pro-leftist. The controversial bill became law when it passed both houses of the Diet in late summer, 1953, the Diet vote following the same right-left division we use in this paper. Table III shows leader and voter response to the query on the respondent's attitude toward the strike-limitation proposal.

TABLE III. RELATION OF PARTY ORIENTATION TO ATTITUDES TOWARD
THE 1953 STRIKE CONTROL BILL

Attitude Toward Strike Bill	Leaders*		Osaka Voters			Shimane Voters		
	Right	Left	Right	Left	Non- Voter	Right	Left	Non- Voter
Approval	98%	9%	83%	50%	81%	83%	58%	66%
Pro-Con	—	—	3	6	3	2	5	—
Disapproval	2	91	12	40	10	7	30	5
Don't Know or Not Ascertained	—	—	2	4	6	8	7	29
Total	100%	100%	100%	100%	100%	100%	100%	100%
Number of cases	73	23	173	118	118	343	55	67

* Local leaders from Okayama were not asked this or subsequent issue questions.

On the issue of the anti-strike bill, as on rearmament, we find the leaders of right and left taking a more clear-cut position than their constituents. Conservative party voters in both areas, however, follow their leaders far more closely than leftist party voters. This can be explained by reference to responses to another labor question: "Do you think Japanese unions have too much power in Japan today, not enough power, or just about enough?" To this question only 36 per cent of Osaka's left-wing voters and 22 per cent of Shimane's left-wing voters gave the party-line answer, "not enough." Males and those of high information level, regardless of party, gave more pro-labor responses on the strike bill question than did females and those of low information. It will be noted that these sub-groups showed opposite tendencies on the rearmament question.

Almost half of the conservative leaders interviewed favored even more drastic curbs on labor, including revision of the Labor Standards Act.⁴ They argued in the following terms: "Japan is so weak economically that we can't keep raising our export prices by pampering labor at home;" "The Occupation gave unions so many rights they no longer think of their duties to the public;" "Farmers don't like labor's misuse of a strike right which farmers cannot enjoy." Leftist leaders insisted that "Management should be more sympathetic toward workers. . . . Not all their strikes are instigated by Communists." Given the temper of public opinion, the conservative coalition of Liberals and Progressives in the Diet is likely to proceed swiftly along this line of revisionism,

⁴ Law No. 49 of April 1, 1947. For this and other Occupation reforms, see the two-volume Report of Government Section, SCAP, *Political Reorientation of Japan* (Washington, G.P.O., 1949).

however, as seen in the recent law designed to curb the political activity of teachers in public schools.

The two revisionist issues so far discussed were ones on which public opinion and leadership opinion were both well-crystallized. There were other issues, however, on which only leadership opinion had reached that stage. As examples, we may look briefly at leader and voter opinion on two of the most favorably publicized reforms of the Occupation: land reform and educational reform. On neither of these reforms had voter pressure for revisionism reached major proportions, but a majority of our leadership sample criticized both reforms. Tables IV and V illustrate the contrasting nature of leader-voter opinion on

TABLE IV. RELATION OF PARTY ORIENTATION TO ATTITUDES TOWARD LAND REFORM

Attitude toward Land Reform	Leaders		Osaka Voters			Shimane Voters		
	Right	Left	Right	Left	Non- Voter	Right	Left	Non- Voter
Approval	25 %	79 %	25 %	39 %	17 %	60 %	60 %	55 %
Pro-Con	3	9	10	7	9	5	3	6
Disapproval	68	8	10	7	6	15	14	7
Don't Know or Not Ascertained	4	4	55	47	68	20	23	32
Total	100 %	100 %	100 %	100 %	100 %	100 %	100 %	100 %
Number of Cases	73	23	173	118	118	343	55	67

these two reform measures. The tables are based on data from open-end questions on the respondent's personal impression of the operation of the two reforms in his locality.

Clearly, our leader sample shows a sharp right-left division on the question of land reform, but not on the educational reform. Voters, on the other hand, displayed more hostility toward the latter than the former, but no voter group voiced over 32 per cent disapproval on either question. These are two areas of revisionism where the leaders have much spade work ahead to convince their constituents of the need for sweeping changes in Occupation handiwork. It may well be, however, that more specific questions on ex-landlord compensation, revision in the time period for compulsory schooling, or abolition of local school boards would have produced more pro-revisionist sentiment. The tables above do not show the wide variety of replies under each category, but interviewer probing did not elicit many reasoned replies of an expected nature. Voters seemed disinterested in these reforms and, in the case of Osaka voters on land reform, were largely ignorant of the reform's impact.

Leaders, however, were explicit in their praise or condemnation of both these reforms. Conservatives in Osaka, particularly, denounced the harshness and unsuitability of the land reform; the confiscatory prices paid to landlords, many of whom were impoverished by the reform; the arbitrary action of local land committees; and the inability of new owner-cultivators to make good. Leaders in rural Shimane divided evenly on this question, reflecting the majority opin-

TABLE V. RELATION OF PARTY ORIENTATION TO ATTITUDES TOWARD EDUCATIONAL REFORM

Attitude toward Education Reform	Leaders		Osaka Voters			Shimane Voters		
	Right	Left	Right	Left	Non- Voter	Right	Left	Non- Voter
Approval	40%	52%	44%	42%	36%	51%	55%	57%
Pro-Con	—	—	9	12	9	7	9	5
Disapproval	55	48	32	29	21	26	29	10
Don't Know or Not Ascertained	5	—	15	17	34	15	7	28
Total	100%	100%	100%	100%	100%	100%	100%	100%
Number of Cases	73	23	173	118	118	343	55	67

ion among their constituents. Left-wing leaders tended to deplore signs of landlord revival and regret the failure to include forest land in the reform. Both rightist and leftist leaders divided quite evenly on the educational reform, but rightists were less enthusiastic in their praise and much harsher in their criticism of the time extension, P.T.A., elective school boards, and the Teachers' Union. Both conservative and radical leaders who criticized the new school system gave its cost as their major reason. It has been the financial burden of decentralized school and police systems that has given new impetus to the trend toward consolidation of local units of government (the so-called *gappei* movement). In fact, 90 per cent of the right-wing leaders and 45 per cent of the leftists voiced disapproval of the entire postwar system of local autonomy. Leftist leaders were inclined to base their objections on the need to extend the system, whereas rightist leaders tended to favor more grants-in-aid, if not actual control, by the central government of functions the Occupation assigned to prefectures and municipalities.

Finally, in Table VI, we can see the overall score on revisionism for each of the six groups included in the survey. The replies to the five questions discussed above (on rearmament, the strike bill, labor union power, land reform, and educational reform) were combined into a single scale score for each respondent on a 1, 2, 3 point basis corresponding to a pro-revisionist, neutral, or anti-revisionist reply on each of the five questions. The highest revisionist score was 5 points; the extreme anti-revisionist score 15 points. Despite the lack of party correlation on the last two items, the scale clearly differentiates between conservative, radical, and non-voter subgroups.

The table demonstrates the anticipated degree of correlation between party affiliation and revisionist opinion, with the non-voters highest in the "medium" or neutral category. The pattern is similar in both urban and rural sample areas, except that the rural Shimane conservatives' approval of land reform gives them a lower overall score.

* * *

What conclusions can we draw from this brief analysis of political revisionism

TABLE VI. RELATION OF PARTY ORIENTATION TO SCALE OF REVISIONIST OPINION

Scale of Revisionist Opinion	Osaka Voters			Shimane Voters		
	Right	Left	Non- Voter	Right	Left	Non- Voter
High*	35%	12%	18%	25%	14%	6%
Medium	44	26	58	40	25	58
Low	21	62	24	35	61	36
Total	100%	100%	100%	100%	100%	100%
Number of Cases	173	118	118	343	55	67

* "High" indicates strong pro-revisionist opinion; "Low" indicates strong anti-revisionist opinion.

in post-treaty Japan? The section of the survey dealing with this topic was highly selective in its choice of issues. Many other Occupation policies might have been included but some, like the crusade against the *zaibatsu* and the broader purge, were already dead letters in 1952. Others would have been even more difficult to test in a voter survey than the land and educational reforms included here. Given this limitation, it appears that at least three of the five questions on the voter survey, and four on the leadership survey, produced significant data on the extent of revisionist attitudes and on the relation of right-left party orientation to such attitudes.

On the question of the extent of revisionist opinion, a majority of all leaders sampled favored revisionist policies toward all Occupation reforms included in the survey. A majority of all voters sampled favored revisionist policies toward disarmament and the right to strike in public utilities, and opposed any extension of union powers. The voters, however, gave plurality approval to land reform and educational reform. Both leaders and voters gave stronger approval to labor policy revisionism than to rearmament, but leaders expressed more extreme views on all issues.

On the question of partisan differences on revisionism, leaders split along right-left lines on every issue with the exception of educational reform, and even in that case an examination of the responses reveals party-line differences on the reasons given. (This is perhaps more noteworthy since a quarter of the leader sample were nominal Independents and a majority were local politicians to whom party ties are supposed to mean little.) Voters in both the urban and rural sample also divided along right-left partisan lines on the three questions of rearmament, the anti-strike bill, and labor union powers. Political partisanship in Japan, as in the United States,⁵ shows a clear correlation with the respondent's attitude on meaningful issues. Non-voters in the sample showed the expected tendency to be unconcerned with political issues, but only in the

⁵ For somewhat comparable American data, see Warren E. Miller, "Party Preference and Attitudes on Political Issues: 1948-1951," this REVIEW, Vol. 47, pp. 45-60 (March, 1953), and Angus Campbell, Gerald Gurin, and Warren Miller, *The Voter Decides* (Evanston, Ill., 1954).

rural area was this very marked. Other data from the survey confirm this relationship between partisanship and political attitudes.

No significant differences between the urban Osaka sample and the rural Shimane sample are evident either on the extent of revisionist opinion or on partisan differences on issues, with the possible exception of land reform.

The survey data do not in themselves warrant more general conclusions on the nature and future of Japanese revisionism. However, based on his overall study of Japanese politics, including this survey material, the author hazards a few final observations.

Revisionist legislation has already been passed by the Diet in the areas of civil liberties, labor, economic concentration, and administrative reform. Will the conservative coalition proceed to revise all other substantive reforms of the Occupation out of existence? The extent and nature of leadership opinion suggest that the trend in that direction will increase in the near future. Revisionism is not an ephemeral post-treaty phenomenon but a complex, deeply-rooted amalgam of Japanese nationalism and justified criticism of Occupation excesses.

The fact that voters were less enthusiastic about some revisionist aims than were their leaders suggests that the priority of targets will be chosen carefully and that public opinion will be prepared more adequately for later targets. Left-wing opposition parties, committed to the defense of Occupation reforms which both coincide with their ideological beliefs and buttress their electoral strength, will force the conservatives into increasingly sharp battles both inside and outside of the Diet building. Cooperation among the three conservative parties and among the four left-wing parties will grow stronger as revisionism and foreign policy cleavages become more pronounced. To the extent that revisionism aids the domestic right and harms the domestic left, the leadership of the Liberal-Progressive majority has added incentive for carrying out its revisionist program.

Whether foreign observers should view Japanese revisionism with alarm or approbation is likely to provoke wide disagreement, since there are muted overtones in any review of American postwar policy toward Japan which are reminiscent of the acrimonious debate over our postwar policy in China. Those who favored the original Occupation policies of 1945-1947, regretted the transition from "reform" to "recovery," and still look hopefully toward the non-Communist left in Japan, are apt to be alarmed by revisionist actions and attitudes. Those who may have approved the early reform policies in naïve ignorance of their effect on Japan, but now realize the impracticality or undesirability of reforms that undermine a viable Japanese economy and polity, are apt to approve revisionism. The latter may hope that, if revisionism can strengthen the moderate right against the present danger of a quasi-Communist left and the possible danger of an anti-foreign right, it will prove to be a healthy as well as a natural development in post-treaty Japanese politics.

CAPITAL AND CARBUNCLES: THE "GREAT BOOKS" REAPPRAISED

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Professor David Easton's widely discussed essay in academic psychoanalysis is indicative of the methodological trauma through which political science is now passing. Of particular interest is his chapter on political theory, which, according to his diagnosis, has suffered from a malady known as "decline into historicism."¹ His specific point of criticism is that the commentaries of Dunning, McIlwain, and Sabine have led students away from serious study of value theory. This kind of attack, however, does not get to the nub of the problem which surrounds political theory. For while political scientists seem to feel that political theory should be made the "heart" of their discipline,² they will also have to acknowledge that the "heart" of political theory itself has been reading the "Great Books." A far greater indictment than Easton's, then, is that it is an unquestioning reliance on the "Great Books" which has served to thwart any significant expansion of the scope and function of political theory—in terms of value theory or any other kind. Students are told to read the books with great care. But why they have to read them *at all* is a question which has seldom been squarely confronted. Hence both undergraduates and graduate students come away, perhaps somewhat pleased that they can now quote a few choice axioms from Burke, but nonethemore edified as to *how* the learned authors of yesteryear can aid them in understanding the science of politics.

The reason for this, as Easton has suggested and as I will make plain, is that the "Great Books" are primarily taught as history—more particularly, as history of ideas and historical biography—with often a smattering of logic added. The student of politics, when he comes to study theory, is immediately given an historian's pair of shoes. Virtually all the methods which he learned as a political scientist are painstakingly ignored. It is not being deprecatory of the study of history to point out that it is something quite different from the study of politics. It would be a grave error to fail to see that a knowledge of history is vital for the political scientist. He cannot understand the American Senate of 1954 without knowing something of the War between the States; he cannot claim to know today's House of Commons without appreciating its Elizabethan counterpart. But history, when used by the student of politics, must, like Harold Laski's expert, be on tap and not on top. For this reason, then, the polit-

¹ David Easton, *The Political System* (New York, 1953), Ch. 10.

² Cf. Committee for the Advancement of Teaching, American Political Science Association, *Goals for Political Science* (New York, 1951), pp. 116–33. Citing "opinions from the men and women who teach political science in the leading institutions of higher education in the country," the Committee found that while in terms of actual curricula political theory is not "the core of political science," at the same time there was a "widespread feeling . . . that it should be made the heart of the subject" (p. 126).

ical scientist must always have before him the question, in paraphrase of Professor Lynd, "History for What?" For history is no more than a technique for the political scientist: it should be a handmaiden, as mathematics is to the physical sciences. A political scientist should be able to draw on historical evidence with as great facility as he utilizes public opinion polls and the files of the *Congressional Record*.

My contention here is that political science is a bona-fide member of the social science family. And, for this reason, it is contemporary. Economic and sociological theory deal solely with today's world. (Or they deal with generalizations which encompass all times and all places. But such theorizing must necessarily include the here and now of today's world.) It is only political theory which has failed to note its contemporaneity. Saddled, to a far greater extent than economics or sociology, with a shelf-full of "Great Books," the political theorist of today is content to discuss such topics as: "George Plekhanov and the 'Iskra' Period;" "Significance and Impact of Heinrich Treitschke;" "The Political Thought of L. T. Hobhouse;" and "Thomas Hobbes' Concept of Religion and the State's Relation to It." (These are four of the *first six* projects listed under Political Philosophy in the list of doctoral dissertations published, in the September, 1953, issue of the AMERICAN POLITICAL SCIENCE REVIEW.) As we are quite aware, Plekhanov, Treitschke, Hobhouse, and Hobbes are very much dead and buried. Yet political scientists continue to read them—and prescribe the reading of them to their students—in our own day. My concern, however, is not so much with the fact that Plekhanov, Treitschke, and writers like them form the corpus of political theory. Personally I desire to save the "Great Books" rather than bury them. And it is for that reason that I wish to examine the ways in which these books are approached, and evaluate the relevance that these approaches have for political science.

It may be well to admit here that I can do little more than assume that the function of political theory is to deal with the contemporary world (or, more grandiosely, with all periods in history, including the present). And I fear that this can be no more than an assumption about the character of political theory, which one either accepts or rejects *prima facie*. Theory has the dual task of explaining behavior (causal theory) and adumbrating principles on how people ought to behave (ethical theory). Hence, the burden must be shifted to the non-contemporaries. They must show how the study of history, or of the history of ideas, or of historical biography—in and of themselves—have a meaning for political science. The burden of justification, it seems to me, lies with those who would immerse themselves in history. They must show why political theory, unlike theory in the other social sciences, should be anything other than contemporary with regard to the problems that it sets for itself.

I have divided the prevalent ways of reading the "Great Books" into ten arbitrary (and occasionally overlapping) categories, designated as follows: (1) *Capital* and Carbuncles; (2) The Hero-Worshippers; (3) Intellectual Plagiarism; (4) Who-Said-It-First?; (5) The Mind-Readers; (6) The Camera-Eye; (7) Influencing the Intelligentsia; (8) Influencing the Masses; (9) The Logic-

Book;³ and (10) Timeless. No brief rubric can tell the whole story and I have therefore attempted to capture the spirit of each approach. It is (10), and only (10), I will maintain, which is the appropriate way for students of political theory to approach the "Great Books."

1. *Capital and Carbuncles*. This first approach is primarily biographical. Here we are concerned to know how a particular book came to be written in a particular way. Thus the fact that Marx had carbuncles made him vent all the more vitriol on the bourgeoisie in his *Capital*. Or we are told that Rousseau's constricted bladder made him all the less coherent at the time he wrote the *Social Contract*. But there is more than this. If, we hear, there were vitiating circumstances surrounding the writing of a particular book, then a reading of *other*, and less well-known, books by the same author will show us his "real" outlook—and meaning. For example, Guglielmo Ferrero tells us that if we are to know the "real" Machiavelli, we must read his *Discourses*. In fact, Ferrero tells us, even in *The Prince* there are only a few of the notorious "Machiavellian" strictures and these are

not connected with each other nor with the rest of the argument, which could be either suppressed entirely without mutilating the work or rendered quite inoffensive by disguising their thought in less frank terminology. Anyone acquainted with the life and character of Machiavelli knows that these fragments of his thought, on which a whole theory of conduct has been erected, are nothing but bad-tempered explosions.⁴

Hence we must add to Marx's carbuncles and Rousseau's bladder, Machiavelli's bad temper. Once we know, and make allowance for, this character-trait we can fully understand Machiavelli the Author. But if we follow this approach then we will concern ourselves not with the "whole theory of conduct" which grew out of Machiavelli's bad temper, but rather with the biography of a single man and perhaps the historical conditions which surrounded the writing of one of his books. The verdict here, then, must be that such a study is biography and history; but it is not politics.

2. *The Hero-Worshippers*. "A hitherto undiscovered cache of the Harrington papers has been uncovered beneath the floor-boards of a remote Devonshire inn, and Professor Smith, a leading Harrington-scholar, has reported that he intends to spend the next five years studying and cataloging them." This quotation is wholly of my own making, but paraphrases of it are not hard to discover. The "Harrington-scholar" is concerned, and concerned only, with the life and works of Harrington *the man*. In (1) we saw how some people "interpreted" *Capital* in light of Marx's carbuncles. But the Hero-Worshippers are

³ The Logic-Book approach is not a victim of the historical bias to which I have been alluding. However, it is still non-political. Hence, even though logical analysis may be exonerated from the historical taint, it must nevertheless come under the axe because of its failure to pass the political test.

⁴ Quoted in the bibliography of William Ebenstein's *Great Political Thinkers* (New York, 1951), p. 845. It should be said that Professor Ebenstein's short introductions in this book of readings are noteworthy examples of an attempt to show the relevance of the ideas contained in the "Great Books" to the problems of the contemporary world.

not only concerned with the significant books by a particular author; every single jotting that the man set down on paper is of crucial importance. Thus, for example, Mr. Pelczynski of Oxford, in the *Cambridge Journal*, elucidated Hegel's thoughts on the English Constitution: "In October 1831 *Die Preussische Staatszeitung* published an article entitled 'Ueber die englische Reformbill' by the Professor of Philosophy at the Royal University of Berlin, G. W. F. Hegel."⁵ Mr. Pelczynski, however, is forced to confess that "On the whole. . . Hegel's account of the formal or legal side of the Constitution. . . contains nothing that can be called original or profound."⁶ And he concludes: "And so he must join the large group of distinguished and learned foreigners who, while they said much about the English Constitution that was true and interesting, always managed in the end to misjudge it in some fundamental respect."⁷ Now Mr. Pelczynski is a Hegel scholar. The rest of us remember Hegel because of such books as his *Philosophy of Right* or his *Philosophy of History*. But, for Mr. Pelczynski, Hegel's article on the English Constitution is also of importance. However, most all of his remarks are either misunderstandings or common-places; there are at least a dozen better commentaries on the subject. Does the fact that *Hegel* made them make them any the less undistinguished? But the Hero-Worshiper must give the front rank to everything that his Hero wrote. By this token, if a Calhoun-scholar discovered a (thoroughly bad) picture by Calhoun, would he try to persuade the South Carolina Art Gallery to hang it?

We can see, then, that this approach must very definitely be classed as biography. It certainly is not politics.

3. *Intellectual Plagiarism*. Every author of a "Great Book," this approach postulates, is wittingly or unwittingly echoing the words of one of his predecessors. Marx's ideas are to be found in Babeuf, Ricardo, and Hodgskin. T. H. Green and Bosanquet (not so unwittingly) are based on Hegel. Even if an author does not give credit to his mentors, his plagiarisms can still be traced. One hears of the scholar who spent his life trying to reconstruct the exact contents of Rousseau's library, bibliography, and reading lists in order to discover which books might have influenced him. Along this line, the late Professor Laski once wrote:

A careful comparison with Bodin has revealed to me that Montcretien, usually acclaimed as the founder of political economy, has, in fact, taken 300 pages wholesale from Bodin, merely inverting the order of Bodin's remarks. And in the books this unblushing plagiarism is exhibited as supreme originality.⁸

Now one need not go so far as to accuse M. Montcretien of "unblushing" plagiarism. It may well be that he had just read so much of Bodin that he could not help but have his ideas in the forefront of his mind. When Mr. Plamenatz devotes a book to showing the dependence of the Utilitarians on Hobbes, he

⁵ Zbyszek Pelczynski, "Hegel on the English Constitution," *Cambridge Journal*, Vol. 5, pp. 519-30, at p. 519 (June, 1952).

⁶ *Ibid.*, at p. 521.

⁷ *Ibid.*, at p. 530.

⁸ *The Holmes-Laski Letters*, ed. Mark Howe, 2 vols. (London, 1953), Vol. 2, p. 1098.

does not mean to say that Bentham consciously plagiarized Hobbes.⁹ It is sufficient to note that the ideas of one man influenced another's writing. This approach seeks to find out the impact of writer on writer. It can depend on direct evidence, as a diary entry which might read, "Today read Locke and was much impressed;" or it can rest on mere deduction from similarity of words and phrases in the works of two men. But no matter whether we are charitable or otherwise, this method of study is concerned with either the history of ideas or the biographies of individual authors. It is not, however, concerned with politics.

4. *Who-Said-It-First?* The previous approach was interested in the direct or indirect influence of one author upon another. Quite different are the searchers after the man who crossed the finish line first. Professor Friedrich writes of modern theorists:

A review of their contributions to date to political theory reveals that most of what they have had to say has been a repetition of existing knowledge, developed in the course of the history of political thought.¹⁰

They usually frame such questions as: Who was the "father" of sociology? Who first spoke of sovereignty? or Who originated the notion of natural rights? The accepted procedure here is, for example, to take Comte, who is the "recognized" father of sociology, and show that Montesquieu emphasized sociological factors long before Comte was alive. Once Montesquieu begins to gain ground, then Hobbes or Machiavelli will be rushed in to take over the paternity. The difficulty with this approach is that the classicists are always ready at hand with Plato and Aristotle to show that they anticipated anything and everything that has since been said in political theory. For example, Professor Kecskemeti tells us:

The idea of "policy science" is not a new one. . . . Its first, incomparable formulation is found in Plato's *Republic*: policy, the Platonic Socrates says, can be reasonable and sound only if it is based upon the fullness of scientific insight and knowledge.¹¹

And they, by reason of seniority, crossed the finish-line long before anyone else. One effect here, of course, is to steal the thunder from modern theorists. If one postulates that there has been "nothing new" since Hobbes (i.e., all the finish lines have already been crossed), then one need not bother to keep up to date on developments in the recent history of political thought. But no matter what the cause or consequences of such a study of the "Great Books," it is essentially subject-matter for the history of ideas and is not politics.

⁹ John Plamenatz, *Mill's Utilitarianism, Reprinted with a Study of the English Utilitarians* (Oxford, 1949), pp. 16, 21, 116. For a splendid criticism of this Who-Influenced-Whom approach, see Arthur Child's review of Plamenatz's book in *Ethics*, Vol. 60, pp. 223-24, at p. 223 (April, 1950).

¹⁰ This statement was taken from notes for a paper which was delivered before the American Political Science Association in September, 1953, entitled "The Historical Approach to Political Thought: A Re-Evaluation." Professor Friedrich's argument is an authoritative counterweight to the viewpoint which I am suggesting in this article.

¹¹ "The Policy Sciences," *World Politics*, Vol. 4, pp. 520-35, at p. 520 (July, 1952).

5. *The Mind-Readers.* Most of us, it seems, do not know what the authors of the "Great Books" *really* meant. This is probably because we have not read those tomes closely enough or with enough care. Or it may be because we do not know a sufficient amount about the life of the author and about the historical surroundings. While the usual reason is that close attention has not been granted to the text, it is also occasionally said that we must know the contemporaneous definitions of words in order to understand the author's real intentions. Mr. C. H. Wilson gives us the sad tale of Bodin:

By the majority perhaps of those in the succeeding centuries who were influenced by Bodin, his statement was read and received as a statement of absolute, unlimited sovereignty freeing the ruler, whether a person or a body of persons, from every restraint except that of his own sovereign will. Nothing was further from the author's real meaning. . . .¹²

Hence we see that not only modern students, but also "the majority . . . of those . . . who were influenced by Bodin" failed to capture his "real meaning." This is probably because, unlike Mr. Wilson, they read Bodin hastily and without appreciating the qualifications and nuances with which he surrounded his statements. What does not seem to trouble Mr. Wilson is that Bodin was influential simply *because he was misunderstood*. If people had known his "real meaning," as Mr. Wilson claims to, then they probably would not have paid any attention to him. In fact, the only reason that Mr. Wilson has even *heard* of Bodin—the only reason why his reputation has survived—is because people considered him as the author of a "statement of absolute, unlimited sovereignty." Without such an interpretation, however unjust to Bodin it may be, Bodin is historically meaningless. Perhaps, then, Mr. Wilson ought to join "the majority" and misread Bodin as well! But in any event the Mind-Reader approach is philosophical (insofar as it pays attention to the logic of a man's sentences), and historical and biographical. But it is not political.

6. *The Camera-Eye.* The "Great Books" give us a good idea of what some thoughtful people had on their minds during a certain historical period. This is certainly true. One cannot deny that, at the time Rousseau's *Social Contract* appeared, a goodly number of people were thinking about social contracts. In this sense, then, we can see reflections of what was on men's minds. And we can read Burke on the French Revolution and Paine on the Rights of Man and see that different groups were thinking different things in the 1790's. Of course there were a lot of people who weren't thinking at all; or people who might have been thinking, but who couldn't read books. But the Camera-Eye can only focus on the literati. Hence while Locke's *Second Treatise* is useful for telling us what the American Founding Fathers had on their minds when they were thinking about politics, there is no book that will tell us what the illiterate Kikuyu in Kenya are thinking about today. In addition, "anticipatory" books, those which give vent to ideas prior to the time when they have become generally accepted, have a value insofar as they are the first to cross the finish-line. But

¹² "Sovereign and Sovereignty," *Chambers Encyclopedia*, new edition (New York, 1951), Vol. 12, p. 775.

they do not reflect the thought of the time in which they were written. Vico, for instance, was resurrected by Michelet long after he had passed away. The people of Vico's time had never heard of Vico; and he didn't give a Camera-Eye of his contemporaries' thinking anyway. But this is interesting to us only if we are concerned with the history of ideas. It is not any help with politics.

From another angle we can say that Tocqueville gives us a good historical picture of pre-Revolutionary France; or that Aristotle informs us of the constitutions of Ancient Greece. This, however, is cheating. If we want to know about France or Greece we ought to go about it the way historians do: through a careful study of manuscripts, records, eye-witness accounts, etc. The "Great Books" tell us little in the way of actual history. Burke's *French Revolution* is not an historical description of that event; it is a polemic telling us it ought never to have happened. There are not *two* histories: one for the political theorist, to be gained through the "Great Books", and another for the historian, to be gained through the traditional sources. There is only one history, and that is the historian's history. History via the "Great Books" is inaccurate, incomplete, and has such a strong bias as to be worthless. And anyhow this Camera-Eye value (or lack of value) in the "Great Books" is history and not politics.

7. *Influencing the Intelligentsia.* This approach is similar to (3). But (3) went down the historical scale; the fact that Monteretien "plagiarized" Bodin was of interest there. Here, however, we are interested in books because they influenced particular intellectuals in a later period. Theory, then, becomes the History of Political Books. Bosanquet, for example, captures our attention because we can see the influence of Hegel and T. H. Green on him. Of course Bosanquet didn't influence anyone himself. He wrote in Oxford and it is likely that no more than a small circle of dons read him at the time (and read him still). And Bosanquet seems in different ways, to have influenced Collingwood and A. D. Lindsay.¹³ In this sort of study we are far removed from political events. We are not, as in (6), concerned to see what whole countries were thinking. It is merely that we set up a chain of book-writers and then do not have the heart to break it. Hence we can begin with Rousseau and move on up to Hegel (so far so good). If we say that Hegel influenced Marx, and Marx Lenin, then we are on the track of important political events. But if we say that Hegel influenced Green, and Green Bosanquet, and Bosanquet Lindsay, we are lost in the cloisters of Oxford's intelligentsia and far from anything in the world of political behavior. Hence we must conclude that this is the history of ideas that we are studying and not politics at all. And it can become the history of interesting, or logical, or worthwhile ideas—but they can well be ideas wholly divorced from any streams of action. Insofar as these ideas are worthwhile, the fact that they ever "influenced" any other writers is unimportant for our purposes. Hence, as we

¹³ For a careful study of the intellectual currents which influenced A. D. Lindsay, see Adam Ulam's *The Philosophical Foundations of English Socialism* (Cambridge, Mass., 1951), esp. Chs. 2, 5. But just who or what was influenced by Lindsay is something that Ulam never makes clear. Few will deny that Lindsay wrote intelligent and interesting books on democratic theory. But to say this is quite different from saying that he had a significant impact on English Socialism.

will see in (10), such books can be very useful in studying political theory. But this need not entail studying their historical pedigrees.

8. *Influencing the Masses.* The title of this section is not wholly an accurate one. For here we are concerned to see how books influenced political events. A "Great Book" does not, however, have to be read by the masses in order to influence political movements. Hence we may speak, first, of books which had an impact on "thinking" people. In this vein we can see that Locke's *Second Treatise* and Montesquieu's *Spirit of the Laws* influenced Hamilton and Madison. Thus we may say that Locke and Montesquieu had an impact, respectively, on the American Revolution and the American Constitution. But these authors were known only to the Founding Fathers; the rough farmers of the backwoods of Pennsylvania cannot be said to have been influenced directly by the "Great Books." On the other hand, books such as the *Communist Manifesto* and Rousseau's *Social Contract* were read by, and did influence, the masses directly. In this case the "Great Books" were really pamphlets and were read as polemical broadsides of their time. There is, of course, a middle ground between a book which influences a single influential man (as Pareto was said to have stirred Mussolini) and a book which sways millions (as the *Communist Manifesto* has). In fact most of the "Great Books" are in this in-between area. But it is important to know how much of a "best-seller" each one was.

Knowing *who* read a certain "Great Book" is vital because it ought to determine how *we* read it. There is no doubt that Madison read Locke very carefully; hence we ought to read him carefully as well. But the chances are that the pamphlet-type "Great Books" were read hastily and without too much attention to details. It would, therefore, be advisable for the student to read the *Communist Manifesto* on a crowded and noisy bus; that is probably the atmosphere in which most of the masses of mankind read it. But often we have to read a book in both ways. The *Federalist Papers*, for example, originally appeared as articles in New York newspapers. They were doubtless read by the electors of that State with the summary attention that we give to the Alsop brothers. On the other hand, the *Federalist* is important because Chief Justice Marshall relied heavily on it to form his judicial opinions. And it is certain that Marshall read the *Papers* with great care and close attention. So, depending on which particular group was influenced by it, we must be prepared to change our attitudes when we pick up a particular "Great Book." But no matter how a book influenced historical action, no matter whether it influenced the masses, the cultured few, or a single man, if we are concerned with its *influence* we are using it to study history. And history is not politics.

9. *The Logic-Book.* Here we are bidden to take up a "Great Book" in one hand and an elementary logic-book in the other. We then search for (and are bound to find) tautologies, excluded middles, inconsistencies, and non-sequiturs galore. It matters not if the book was written as a tuppenny pamphlet (as were many of Paine's or Marx's works), if it was a magazine article for a middle-class audience (as was Mill's *On Liberty*), or if it was the studied product of Oxford professors (as were Green's and Bosanquet's books). Thus Mr. Toulmin tells us: "What makes the writings of Bentham, Hobbes, Hegel and Marx 'philo-

sophical' in our sense is the logical characteristics of their statements, not the special purposes for which they make them."¹⁴ Out of this conception of "political philosophy" can come a book by Mr. Weldon which shows us that Marxist foundations are "worthless," "metaphysical and empty."¹⁵ Yet out of this "worthlessness" and "emptiness" came the Russian Revolution. If Czar Nicholas had distributed logic-books to the peasants would the revolution have been averted? But one wonders why Messrs. Toulmin and Weldon pick out *Marx* for their study. Why do they not tell us about the "logical characteristics" of the New York Telephone Directory? The answer is simple. Marx has a relation to practical political movements, and the Telephone Directory has not. But practical movements are not moved by logic. And if that is all that the logic-book people are telling us they are not telling us much. The quixotic element here is that *historical events* have made Bentham, Hobbes, Hegel, and Marx of interest to us. All four, in their own times and to this day, have influenced people. Indeed, as we saw in (5), that is *why* they have come to our notice. And "the logical characteristics" of the statements in these "Great Books" (or their lack of logic) were unimportant to the people who read them and were influenced by them. But if it is simply "logical characteristics" that are wanted, then Babeuf will do as well as Marx; Hooker as Locke; and the Voting Register of San Francisco as Bentham. In a word, these are logic-book exercises, or (in some people's eyes) philosophy, but it is not a study of politics.

10. *Timeless*. The "Great Books" are timeless for both causal and ethical theory. First, they can go far toward explaining the political behavior of today. They do this because of their universal application. Aristotle's comments on the role of the middle class, or the causes of revolution, can tell us much about those phenomena in our own society. St. Augustine's "original sin" is, many would maintain, still among us now and is the "cause" of the disruptions and maladjustments in politics. Rousseau's "general will" may have been a metaphor, but it alludes to a factor in social behavior which has still to be satisfactorily explained by modern verbiage. And certainly Machiavelli's strictures on what rulers actually do do are relevant at this moment. Second, various of the "Great Books" prescribe norms which are as worthy of attention—depending on your particular moral outlook—now as they ever were. Thus Tom Paine's "natural rights" of man can still ring a bell for many in 1954. John Stuart Mill on liberty may be listened to by some; and Burke on prescription is heeded by others. The *Federalist Papers* warn us (or those of us who care to be warned) of the undesirability of unchecked power; and Rousseau points up the virtues of equality if we care to listen. Many of these books, as I pointed out earlier, were pamphlets. But no small number of them can polemicize us today as well as they stirred their original readers. (We may recall that in the thirties the business organizations distributed a new edition of Herbert Spencer's *The Man v. The State*.)

But even here we must be wary of historical pitfalls. It should be borne in

¹⁴ *An Examination of the Place of Reason in Ethics* (Cambridge, Eng., 1950), p. 199.

¹⁵ *The Vocabulary of Politics* (London, 1953), Ch. 4.

mind that if our political theory is to be contemporary, then only those books or parts of books which are *relevant* to the world today should be studied. Hence we can well ignore, on the descriptive side, Hegel on the absolute monarchy and Montesquieu on climatic forces in politics. The former deals with an institution which is no longer significant and the latter is too sketchy to have any descriptive value for us. On the ethical side it is hard to rule any "Great Book" out of court. For values are long-lived and are often applicable after the institutional arrangements which sired them have perished. Nevertheless one can doubt if there is much point in considering the desirability of St. Simon's kind of utopia. Utopias are excellent theory; but if they were designed as outgrowths of past societies, then it tends to be difficult to see them as catering to our present aspirations.

Nevertheless the "timelessness" of the "Great Books" must overcome still other hurdles before they can be accepted as sources for political theory. On the one hand, most of them are not as systematic or detailed as the treatises which appear today on the same general subjects (e.g., Montesquieu on geographical factors). On the other hand, and this is really a truism, they do not contain applications which fit the theoretical problems of our own day. Hence one might suggest that if we are interested in conservatism we ought to read Mr. Russell Kirk's recent book, *The Conservative Mind*,¹⁶ rather than Burke. For Kirk speaks, in his opening and closing chapters, of that political creed in 1953, and, as political theorists and moralists, that is what concerns us. Similarly Harold Laski's *Democracy in Crisis* (1932) might make Marxism more meaningful to us than the Master himself. And the same can be said for substituting R. H. Tawney for Tom Paine and James Burnham for Machiavelli. On the purely descriptive side it is possible that V. O. Key's or Earl Latham's detailed studies of parties and groups might be of more use than the vague references to "factions" in earlier works. In the same vein, "social class" has been explored more deeply and widely by modern sociologists than Aristotle ever managed to do. And to say that Plato first thought of "policy science" does not mean that we can get as much out of Socrates' mouth as we can out of Lerner and Lasswell's *The Policy Sciences*.

But despite the existence of these contemporary works in political theory it cannot be denied (and, indeed, this is the *raison d'être* of all I am saying) that the "Great Books" faced up to many important problems in ways which have never been bettered. I cannot think of any of Hume's successors who have discussed the notion of "consent" more adequately. Rousseau on "will" has been

¹⁶ (Chicago, 1953). My sole criticism of this excellent analysis is that Kirk deals only with book-writing conservatives. This is well-and-good for the age when statesmen, e.g., Burke, Adams, Calhoun, took time off to write theoretical tomes. But the more recent "conservative mind" is not to be discovered in the works of Babbitt, More, and Santayana. One must study the Supreme Court opinions of Justice Field, the speeches of Senator Taft, the pamphlets of the Liberty League, and the editorials of *Fortune* magazine. (Indeed, the reviews of Kirk's book in *Time* and *Fortune* are as revealing of the make-up of the contemporary "conservative mind" as is the book itself.)

echoed but never expanded. And the "sin" expounded by the Church Fathers has never been explained away by modern psychologists. It is in these metaphorical or poetic moments that the "timelessness" of the "Great Books" comes to the fore. Both on descriptive and on moral grounds, especially the latter, they perform a function which cannot easily be belittled.

A further point must be made if we are to use the "Great Books" in our study of theory. This caveat may steal much of the ground from under those who explicate the "Great Books." But the dredging operation must be performed. This is that we should cease and desist from proving the "Great Books" *wrong*. It is well known that the cherished game of teachers is to debunk and disprove the ancient authors. Yet if we are to allow the "Great Books" admittance because they can explain political behavior in a valid way, then we should do it with a good grace. If particular books are not valid, then we should leave them outside the classroom and not give them entrance merely to castigate them for their "errors." I realize that it gives us a great feeling of exhilaration to show where "we know better" than Hobbes or Bentham or Lenin. But considering that the "Great Books" have been "great" just because many people have thought their arguments to be legitimate, it little behooves us—in our different surroundings—to spend our time parading the sins of our forefathers. I do not deny that, for example, we can better show Hume's "correct" idea of consent by contrasting it with Locke's "incorrect" idea (for, after all, Hume wrote as a critic of Locke). But it will be well to carry this constructive purpose in the front of our minds. My concern, then, is not with deifying the great authors; it is with the study of political theory. To devote a lecture to "Where Marx Went Wrong" is not much help unless it is by way of contrast to where someone else went right. Our concern should be not with Marx as an author, but with the *things* Marx was trying to theorize about. Our interest, as political theorists, is, for example, with the question of "social change" *per se*; it is *not* with Marx-on-social-change. And since theory is the search for "correct" answers, it should spend time disproving the "incorrect" answers in the "Great Books" only if it has a positive purpose in view.

The popularity of the historical-biographical-logical approach is not difficult to explain. If it is employed, then the political theorist need do no more than set his five-foot shelf of tomes by his armchair. That is his "data." All he need do is to read and re-read those few books. By way of "research," he can confine himself to libraries; his tasks will be such endeavors as discovering Machiavelli's bad temper, Hegel's views on the English Constitution, and Marx's debts to Hodgskin. If he is a logician he can sit in the fastness of his study and seek out tautologies in Mill or a seventh definition of "property" in Locke's *Second Treatise*. Or he can discover what Bodin "really meant" by unearthing some letters of his to a Swedish countess. And he can search for an obscure Swiss writer who anticipated Hobbes on sovereignty. But the great thing about all of this kind of study is that it hardly involves decamping from the texts themselves. The whole of theory, by these lights, is to be found in one place: all the

"Great Books" can fit on one shelf. The overriding danger, of course, is that the venerable volumes become *ends in themselves*. One becomes concerned not with revolutions or liberty or parties, but merely with what Aristotle or Mill or Madison happened to say on those subjects. No doubt they said much of value. But the job of the political theorist is to explain ideas, not to limit himself to knowing what a few historical writers said *about* those ideas. In addition, the librarian's acquisition-policy for the five-foot shelf is often very indiscriminate. We find, alongside of the earth-shaking pamphlets of Marx and Rousseau, insignificant works by Vico and Bosanquet. Insignificant, that is, in the sense that if they had not been co-opted by the academics no one would ever have heard of them. I object to none of these co-options, however, if they explain political behavior adequately. But most of them do not. They are merely on the shelf because they are hoary-headed and no one has had the heart to evict them. Certainly a living author does not like to have his earlier books, if he has since found them inadequate, remaining in general use. Dead writers, I am sure, feel the same way.

My purpose here, as I said at the beginning, is to preserve the "Great Books" and not to demolish them. Many of them contain explanations and prescriptions which have great value for us now. And, if they are handled in the way that I suggest, they can still be used as the central theme of introductory study—and advanced research—in political theory. I have indicated that there are many "timeless" questions and answers which are better posed in the "Great Books" than in anything which has succeeded them. But the other social sciences, particularly social psychology and anthropology, are moving in on the province that should be political theory's. Professor Almond has pointed this out succinctly:

The political scientist today has only one foot in the door of a house which he formerly occupied in secure tenure. Anthropology and social psychology . . . have moved rapidly on to a broad front attempting to provide answers to questions which the political scientist, operating with primitive theoretical and methodological tools, has given up asking.¹⁷

And it should be said that most of these "primitive theoretical tools" are what is found in the "Great Books." However, the difficulties that the political theorist encounters stem not from the fact that he is wedded to the "Great Books." It is because he is not willing to try to derive lessons for explaining the contemporary world *out of* those volumes. I have no doubt that the men who are engaged, for instance, in elucidating "misunderstood" adjectives on majority-rule in Locke are fully competent to discuss the problem of majority-rule *per se*. It is majority-rule and not John Locke that needs theoretical discussion. That is what political theorists should be doing.

Political theory must catch up with the rest of the social sciences. And this will only be done if much of the excess historical, biographical, and logical baggage which surrounds the "Great Books" is ruthlessly thrown overboard.

¹⁷ "Anthropology, Political Behavior and International Relations," *World Politics*, Vol. 2, pp. 277-84, at p. 282 (Jan., 1950).

A METHOD FOR EVALUATING THE DISTRIBUTION OF POWER IN A COMMITTEE SYSTEM

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In the following paper we offer a method for the *a priori* evaluation of the division of power among the various bodies and members of a legislature or committee system. The method is based on a technique of the mathematical theory of games, applied to what are known there as "simple games" and "weighted majority games."¹ We apply it here to a number of illustrative cases, including the United States Congress, and discuss some of its formal properties.

The designing of the size and type of a legislative body is a process that may continue for many years, with frequent revisions and modifications aimed at reflecting changes in the social structure of the country; we may cite the role of the House of Lords in England as an example. The effect of a revision usually cannot be gauged in advance except in the roughest terms; it can easily happen that the mathematical structure of a voting system conceals a bias in power distribution unsuspected and unintended by the authors of the revision. How, for example, is one to predict the degree of protection which a proposed system affords to minority interests? Can a consistent criterion for "fair representation" be found?² It is difficult even to *describe* the net effect of a double representation system such as is found in the U. S. Congress (i.e., by states and by population), without attempting to deduce it *a priori*. The method of measuring "power" which we present in this paper is intended as a first step in the attack on these problems.

Our definition of the power of an individual member depends on the chance he has of being critical to the success of a winning coalition. It is easy to see, for example, that the chairman of a board consisting of an even number of members (including himself) has no power if he is allowed to vote only to break ties. Of course he may have prestige and moral influence and will even probably get to vote when someone is not present. However, in the narrow and abstract model of the board he is without power. If the board consists of an odd number of members, then he has exactly as much power as any ordinary member because his vote is "pivotal"—i.e., turns a possible defeat into a success—as often as the vote of any other member. Admittedly he may not cast his vote as often as the others, but much of the voting done by them is not necessary to ensure victory (though perhaps useful for publicity or other purposes). If a coalition has a majority, then extra votes do not change the outcome. For any vote, only a minimal winning coalition is necessary.

Put in crude economic terms, the above implies that if votes of senators

¹ See J. von Neumann and O. Morgenstern, *Theory of Games and Economic Behavior* (Princeton, 1944, 1947, 1953), pp. 420 ff.

² See K. J. Arrow, *Social Choice and Individual Values* (New York, 1951), p. 7.

were for sale, it might be worthwhile buying forty-nine of them, but the market value of the fiftieth (to the same customer) would be zero. It is possible to buy votes in most corporations by purchasing common stock. If their policies are entirely controlled by simple majority votes, then there is no more power to be gained after one share more than 50% has been acquired.³

Let us consider the following scheme: There is a group of individuals all willing to vote for some bill. They vote in order. As soon as a majority⁴ has voted for it, it is declared passed, and the member who voted last is given credit for having passed it. Let us choose the voting order of the members randomly. Then we may compute the frequency with which an individual belongs to the group whose votes are used and, of more importance, we may compute how often he is *pivotal*. This latter number serves to give us our index. It measures the number of times that the action of the individual actually changes the state of affairs. A simple consequence of this formal scheme is that where all voters have the same number of votes, they will each be credited with $1/n$ th of the power, there being n participants. If they have different numbers of votes (as in the case of stockholders of a corporation), the result is more complicated; more votes mean more power, as measured by our index, but not in direct proportion (see below).

Of course, the actual balloting procedure used will in all probability be quite different from the above. The "voting" of the formal scheme might better be thought of as declarations of support for the bill, and the randomly chosen order of voting as an indication of the relative degrees of support by the different members, with the most enthusiastic members "voting" first, etc. The *pivot* is then the last member whose support is needed in order for passage of the bill to be assured.

Analyzing a committee chairman's tie-breaking function in this light, we see that in an *odd* committee he is pivotal as often as an ordinary member, but in an *even* committee he is never pivotal. However, when the number of members is large, it may sometimes be better to modify the strict interpretation of the formal system, and say that the number of members in attendance is about as likely to be even as odd. The chairman's index would then be just half that of an ordinary member. Thus, in the U.S. Senate the power index of the presiding officer is—strictly—equal to $1/97$. Under the modified scheme it is $1/193$. (But it is zero under either interpretation when we are considering decisions requiring a two-thirds majority, since ties cannot occur on such votes.) Recent history shows that the "strict" model may sometimes be the more realistic: in the present Senate (1953-54) the tie-breaking power of the Vice President, stemming from the fact that 96 is an even number, has been a very significant factor. However, in the passage of ordinary legislation, where perfect attendance is unlikely even for important issues, the modified scheme is probably more appropriate.

³ For a brief discussion of some of the factors in stock voting see H. G. Gothman and H. E. Dougall, *Corporate Financial Policy* (New York, 1948), pp. 56-61.

⁴ More generally, a minimal winning coalition.

For Congress as a whole we have to consider three separate bodies which influence the fate of legislation. It takes majorities of Senate and House, with the President, or two-thirds majorities of Senate and House without the President, to enact a bill. We take all the members of the three bodies and consider them voting⁵ for the bill in every possible order. In each order we observe the relative positions of the straight-majority pivotal men in the House and Senate, the President, and also the 2/3-majority pivotal men in House and Senate. One of these five individuals will be the pivot for the whole vote, depending on the order in which they appear. For example, if the President comes after the two straight-majority pivots, but before one or both of the 2/3-majority pivots, then he gets the credit for the passage of the bill. The frequency of this case, if we consider all possible orders (of the 533 individuals involved), turns out to be very nearly 1/6. This is the President's power index. (The calculation of this value and the following is quite complicated, and we shall not give it here.) The values for the House as a whole and for the Senate as a whole are both equal to 5/12, approximately. The individual members of each chamber share these amounts equally, with the exception of the presiding officers. Under our "modified" scheme they each get about 30% of the power of an ordinary member; under the "strict" scheme, about 60%. In brief, then, the power indices for the three bodies are in the proportion 5:5:2. The indices for a *single* congressman, a *single* senator, and the President are in the proportion 2:9:350.

In a multicameral system such as we have just investigated, it is obviously easier to defeat a measure than to pass it.⁶ A coalition of senators, sufficiently numerous, can block passage of any bill. But they cannot push through a bill of their own without help from the other chamber. This suggests that our analysis so far has been incomplete—that we need an index of "blocking power" to supplement the index already defined. To this end, we could set up a formal scheme similar to the previous one, namely: arrange the individuals in all possible orders and imagine them casting *negative* votes. In each arrangement, determine the person whose vote finally defeats the measure and give him credit for the block. Then the "blocking power" index for each person would be the relative number of times that he was the "blocker."

Now it is a remarkable fact that the new index is exactly equal to the index of our original definition. We can even make a stronger assertion: *any scheme for imputing power among the members of a committee system either yields the power index defined above or leads to a logical inconsistency.* A proof, or even a precise formulation, of this assertion would involve us too deeply in mathematical symbolism for the purposes of the present paper.⁷ But we can conclude

⁵ In the formal sense described above.

⁶ This statement can be put into numerical form without difficulty, to give a quantitative description of the "efficiency" of a legislature.

⁷ The mathematical formulation and proof are given in L. S. Shapley, "A Value for N-Person Games," *Annals of Mathematics Study* No. 28 (Princeton, 1953), pp. 307-17. Briefly stated, any alternative imputation scheme would conflict with either *symmetry*

that the scheme we have been using (arranging the individuals in all possible orders, etc.) is just a convenient conceptual device; the indices which emerge are not peculiar to that device but represent a basic element of the committee system itself.

We now summarize some of the general properties of the power index. In pure bicameral systems using simple majority votes, each chamber gets 50% of the power (as it turns out), regardless of the relative sizes. With more than two chambers, power varies inversely with size: the smallest body is most powerful, etc. But no chamber is completely powerless, and no chamber holds more than 50% of the power. To illustrate, take Congress without the provision for overriding the President's veto by means of two-thirds majorities. This is now a pure tricameral system with chamber sizes of 1, 97, and 435. The values come out to be slightly under 50% for the President, and approximately 25% each for the Senate and House, with the House slightly less than the Senate. The exact calculation of this case is quite difficult because of the large numbers involved. An easier example is obtained by taking the chamber sizes as 1, 3, and 5. Then the division of power is in the proportions 32:27:25. The calculation is reproduced at the end of this paper.

The power division in a multicameral system also depends on the type of majority required to pass a bill. Raising the majority in *one* chamber (say from one-half to two-thirds) increases the relative power of that chamber.⁸ Raising the required majority in all chambers simultaneously weakens the smaller house or houses at the expense of the larger. In the extreme case, where unanimity is required in every house, each individual in the whole legislature has what amounts to a veto, and is just as powerful as any other individual. The power index of each chamber is therefore directly proportional to its size.

We may examine this effect further by considering a system consisting of a governor and a council. Both the governor and some specified fraction of the council have to approve a bill before it can pass. Suppose first that council approval has to be unanimous. Then (as we saw above) the governor has no more power than the typical councilman. The bicameral power division is in the ratio 1:N, if we take N to be the number of councilmen. If a simple majority rule is adopted, then the ratio becomes 1:1 between governor and council. That is, the governor has N times the power of a councilman. Now suppose that the approval of only one member of the council is required. This means that an individual councilman has very little chance of being pivotal. In fact the power division turns out to be N:1 in favor of the governor.⁹ If

(equal power indices for members in equal positions under the rules) or *additivity* (power distribution in a committee system composed of two strictly independent parts the same as the power distributions obtained by evaluating the parts separately).

⁸ As a general rule, if one component of a committee system (in which approval of all components is required) is made less "efficient"—i.e., more susceptible to blocking maneuvers—then its share of the total power will increase.

⁹ In the general case the proportion is $N - M + 1 : M$, where M stands for the number of councilmen required for passage.

votes were for sale, we might now expect the governor's price to be N^2 times as high as the average councilman's.

Several other examples of power distribution may be given. The indices reveal the decisive nature of the veto power in the United Nations Security Council. The Council consists of eleven members, five of whom have vetoes. For a substantive resolution to pass, there must be seven affirmative votes and no vetoes. Our power evaluation gives 76/77 or 98.7% to the "Big Five" and 1/77 or 1.3% to the remaining six members. Individually, the members of the "Big Five" enjoy a better than 90 to 1 advantage over the others.

It is well known that usually only a small fraction of the stock is required to keep control of a corporation. The group in power is usually able to muster enough proxies to maintain its position. Even if this were not so, the power of stockholders is not directly proportional to their holding, but is usually biased in favor of a large interest. Consider one man holding 40% of a stock while the remaining 60% is scattered among 600 small shareholders, with 0.1% each. The power index of the large holder is 66.6%, whereas for the small holders it is less than 0.06% apiece. The 400:1 ratio in holdings produces a power advantage of better than 1000:1.¹⁰

The preceding was an example of a "weighted majority game." Another example is provided by a board with five members, one of whom casts two extra votes. If a simple majority (four out of seven votes) carries the day, then power is distributed 60% to the multivote member, 10% to each of the others. To see this, observe that there are five possible positions for the strong man, if we arrange the members in order at random. In three of these positions he is pivotal. Hence his index is equal to 3/5. (Similarly, in the preceding example, we may compute that the strong man is pivotal 400 times out of 601.)

* * *

The values in the examples given above do not take into account any of the sociological or political superstructure that almost invariably exists in a legislature or policy board. They were not intended to be a representation of present day "reality." It would be foolish to expect to be able to catch all the subtle shades and nuances of custom and procedure that are to be found in most real decision-making bodies. Nevertheless, the power index computations may be useful in the setting up of norms or standards, the departure from which will serve as a measure of, for example, political solidarity, or regional or sociological factionalism, in an assembly. To do this we need an empirical power index, to compare with the theoretical. One possibility is as follows: The voting record of an individual is taken. He is given no credit for being on the losing side of a vote. If he is on the winning side, when n others voted with him, then he

¹⁰ If there are two or more large interests, the power distribution depends in a fairly complicated way on the sizes of the large interests. Generally speaking, however, the small holders are better off than in the previous case. If there are two big interests, equal in size, then the small holders actually have an advantage over the large holders, on a power per share basis. This suggests that such a situation is highly unstable.

is awarded the probability of his having been the pivot (or blocker, in the case of a defeated motion), which is $1/n+1$. His probabilities are then averaged over all votes. It can be shown that this measure gives more weight than the norm does to uncommitted members who hold the "balance of power" between extreme factions. For example, in a nine-man committee which contains two four-man factions which always oppose each other, the lone uncommitted member will always be on the winning side, and will have an observed index of $1/5$, compared to the theoretical value of $1/9$.

A difficulty in the application of the above measure is the problem of finding the correct weights to attach to the different issues. Obviously it would not be proper to take a uniform average over all votes, since there is bound to be a wide disparity in the importance of issues brought to a vote. Again, in a multicameral legislature (or in any more complicated system), many important issues may be decided without every member having had an opportunity to go on record with his stand. There are many other practical difficulties in the way of direct applications of the type mentioned. Yet the power index appears to offer useful information concerning the basic design of legislative assemblies and policy-making boards.

* * *

APPENDIX

The evaluation of the power distribution for a tricameral legislature with houses of 1, 3, and 5 members is given below:

There are 504 arrangements of five X's, three O's, and one ϕ , all equally likely if the nine items are ordered at random. In the following tabulation, the numbers indicate the number of permutations of predecessors () and successors [] of the final pivot, marked with an asterisk. The dots indicate the pivots of the three separate houses.

$\left. \begin{array}{l} O \dot{O} O X X \dot{\phi} \dot{X} X X \\ (60) \quad \quad \quad [1] \\ O \dot{O} X X \dot{\phi} \dot{X} O X X \\ (30) \quad \quad \quad [3] \end{array} \right\} 150 \text{ pivots for } X$	$\left. \begin{array}{l} O \dot{O} O X X \dot{X} X X \dot{\phi} \\ (56) \quad \quad \quad [1] \\ O \dot{O} O X X \dot{X} X \dot{\phi} X \\ (35) \quad \quad \quad [1] \\ O \dot{O} O X X \dot{X} \dot{\phi} X X \\ (20) \quad \quad \quad [1] \end{array} \right\} 192 \text{ pivots for } \phi$
$\left. \begin{array}{l} O X X \dot{X} X X \dot{\phi} \dot{O} O \\ (42) \quad \quad \quad [1] \\ O X X \dot{X} X \dot{\phi} \dot{O} O X \\ (30) \quad \quad \quad [2] \\ O X X \dot{X} \dot{\phi} \dot{O} O X X \\ (20) \quad \quad \quad [3] \end{array} \right\} 162 \text{ pivots for } O$	$\left. \begin{array}{l} O \dot{O} X X \dot{X} X X \dot{\phi} O \\ (21) \quad \quad \quad [1] \\ O \dot{O} X X \dot{X} X \dot{\phi} O X \\ (15) \quad \quad \quad [2] \\ O \dot{O} X X \dot{X} \dot{\phi} O X X \\ (12) \quad \quad \quad [3] \end{array} \right\}$

Power indices for the houses are $192/504$, $162/504$, and $150/504$, and hence are in the proportion 32:27:25, with the smallest house the strongest. Powers of the individual members are as 32:9:9:9:5:5:5:5:5:5.

DOCTORAL DISSERTATIONS IN POLITICAL SCIENCE

IN AMERICAN UNIVERSITIES*

COMPILED BY FRANCIS E. ROURKE

The Johns Hopkins University

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Minoo Adenwalla, Political Philosophy of the
Indian National Movement. *Northwestern*.

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* Similar lists have been printed in the REVIEW as follows: V, 456 (1911); VI, 464 (1912); VII, 689 (1913); VIII, 488 (1914); XIV, 155 (1920); XVI, 497 (1922); XIX, 171 (1925); XX, 660 (1926); XXI, 645 (1927); XXII, 736 (1928); XXIII, 795 (1929); XXIV, 799 (1930); XXV, 798 (1931); XXVI, 769 (1932); XXVII, 680 (1933); XXVIII, 766 (1934); XXIX, 713 (1935); XXX, 811 (1936); XXXI, 772 (1937); XXXII, 796 (1938); XXXIII, 732 (1939); XXXIV, 767 (1940); XXXV, 752 (1941); XXXVI, 734 (1942); XXXVII, 706 (1943); XXXVIII, 766 (1944); XXXIX, 779 (1945); XL, 775 (1946); XLI, 754 (1947); XLII, 759 (1948); XLIII, 787 (1949); XLIV, 689 (1950); XLV, 779 (1951); XLVI, 819 (1952); XLVII, 811 (1953).

Items which appeared in the September, 1953 list are in general classified under the same headings in the present list, and new items have been assimilated to the 1953 classification as far as possible. In cases where classification of an item has been suggested by the institution concerned, the suggestion has been

followed. Each item is listed under one classification only.

The lists printed in the REVIEW are based on information from departments giving graduate instruction in political science. Often dissertations are in progress in departments of economics, history, sociology, etc., which overlap or supplement dissertations in preparation in political science. Attention is called especially to the following lists: "Current Research Projects in Public Administration" (reported to Public Administration Service), the most recent edition of which appeared in 1951; "Doctoral Dissertations in Political Economy in Progress in American Colleges and Universities," in the *American Economic Review*; "List of Doctoral Dissertations in History Now in Progress," published annually by the Division of Historical Research of the Carnegie Institution through 1938, and since then by the American Historical Association, as supplements to the *American Historical Review* (1940 and 1941), as Vol. III of its Annual Report (1941), and as separate publications (1947 and 1949); and "Doctoral Dissertations in Sociology," in the *American Journal of Sociology*. Consult also the "External Research List," published by the Office of Intelligence Research, Department of State. These are in addition to the "List of American Doctoral Dissertations Printed in 1938," the most recent of an annual series published by the Library of Congress; and Arnold H. Trotter and Marian Harman, "Doctoral Dissertations Accepted by American Universities, 1952-53," the twentieth of a series beginning in 1933-34, compiled for the Association of Research Libraries. Consult, for other lists, T. R. Palfrey and H. E. Coleman, Jr., "Guide to Bibliographies of Theses, United States and Canada" (Chicago, American Library Association, 2nd ed., 1940).

Abstracts of some of the theses listed as completed may be found in "Dissertation Abstracts," published bi-monthly by University Microfilms, Ann Arbor, Michigan.

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- Robert L. Bock*, The Political Philosophy of Subhas Chandra Bose. *American*.
- Wilmer L. Bohlmann*, The Legal and Political Theories of Leon Duguit. *Washington* (Seattle).
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- Warren D. St. James, The NAACP: Its Organization and Methods. *St. Louis University*.
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- Daniel W. Tuttle, Intergovernmental Relations in Wyoming Land Policy and Administration. *Minnesota*.
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- Warren Weston, A Comparison of Filling Vacancies in Congress by Appointment and by Special Election. *Minnesota*.

CONSTITUTIONAL AND ADMINISTRATIVE LAW IN THE UNITED STATES

- Roscoe C. Adkins, Justice Brandeis and Administrative Law. *Texas*.
- Barton Bean, The American Civil Liberties Union: History and Analysis. *Cornell*.
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- George R. Blackburn, Freedom of Association: The Group Versus the Individual before the Courts. *Harvard*.
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- Fredryc R. Darby, The Constitutionality of Anti-Miscegenation Laws under the 14th Amendment. *California* (Berkeley).
- Emily Dawson, The Supreme Court's Conception of Religious Liberty in the Jehovah's Witnesses' Cases. *Minnesota*.
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- Moshe Eliash, A Government of Men: An Analysis of the Delegation of "Judicial" and "Legislative" Power. *Cornell*.
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- Milton Greenberg, The Loyalty Oath in the American Experience. *Wisconsin*.
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- Heinz R. Hink*, Some Aspects of Public Liability for Torts of Officers in Anglo-American and Continental Law. *Washington* (Seattle).
- Charles A. Hollister*, A Judicial Analysis of the Right to Acquire, Possess and Protect Property in Pennsylvania. *Pennsylvania*.
- John W. Hopkirk*, William O. Douglas, Individualist. *Princeton*.
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- John T. Kitos*, Coordination of Public Health and Hospital Administration in New York State. *Syracuse*.
- James R. Klonoski*, The Role of the Attorney General As Advisor to the President on Constitutional Questions. *Michigan*.
- Jacob Kossman*, Constitutional Rights of a Defendant in Federal Criminal Proceedings. *Pennsylvania*.
- Oscar Kraines*, Ernst Freund's Contribution to American Legal Thought. *New York University*.
- Sam Krislov*, The Supreme Court since 1937: Nine Judges in Search of a Role. *Princeton*.
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- J. T. Law*, The Constitutional Ideas of Mr. Justice Horace Gray. *Wisconsin*.
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- Eleanor T. Linenthal*, Free Speech and the Power of the Courts and Congress to Punish for Contempt. *Cornell*.
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- Stephen G. Xydis, The Armed Forces and the

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- Tien-Cheng Young, The Use of Scientific Management Concepts in International Administration. *New York University*.
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II. DISSERTATIONS COMPLETED SINCE THE LAST LISTING

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- Harold W. Adams; A.B., Connecticut, 1949; A.M., North Carolina, 1950; Ph.D., Clark, 1954. Heinrich von Treitschke, 1834-1874: The Road to Berlin. *Clark*.
- Mary E. Blagg; B.S., Texas State College for Women, 1942; M.A., *ibid.*, 1943; M.A., Kentucky, 1947; Ph.D., Duke, 1954. Tory Political Theory in America, 1765-1776. *Duke*.
- Burton R. Brazil; B.A., California (Los Angeles), 1941; Ph.D., Stanford, 1954. Loyalty Oaths in California: Theoretical Background and Implications. *Stanford*.
- John H. Bunzel; A.B., Princeton, 1948; M.A., Columbia, 1949; Ph.D., California (Berkeley), 1954. Political Ideologies of Small Business: A Study of the Conference of American Small Business Organizations. *California* (Berkeley).
- John W. Chapman; A.B., Swarthmore, 1943; Ph.D., Columbia, 1953. Rousseau and Liberalism. *Columbia*.
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- Laird J. Dunbar; A.M., University of New Mexico, 1948; Ph.D., New York University, 1953. The Emergence and Growth of the Idea of the Compatibility of Administration and Politics in Recent American Theory and Practice. *New York University*.
- Harry H. Eckstein; B.A., Harvard, 1948; M.A., *ibid.*, 1950; Ph.D., *ibid.*, 1954. Rational Direction in the British Health Service. *Harvard*.
- James V. Elliott; B.S., Boston University, 1943; M.A., *ibid.*, 1947; Ph.D., Harvard, 1954. The Political and Social Thought of Daniel DeFoe: A Study in the Rise of Liberalism as an Ideology. *Harvard*.
- Victor C. Ferkiss; B.A., California, 1948; M.A., *ibid.*, 1949; M.A., Yale, 1950; Ph.D., Chicago, 1954. The Political and Economic Philosophy of American Fascism. *Chicago*.
- Robert O. Gibbon; B.A., Kansas; M.A., *ibid.*; Ph.D., Minnesota, 1954. The Relation of the State to the Economic Order in Greek Political Thought: A Study of Greek Political Thinkers. *Minnesota*.
- Gilbert F. Gilchrist; A.B., University of the South, 1949; M.A., Johns Hopkins, 1953; Ph.D., *ibid.*, 1954. The Political System of James Harrington: A Study in Seventeenth Century Republican Thought. *Johns Hopkins*.
- John P. Green; M.A., Chicago, 1948; Ph.D., *ibid.*, 1953. The Philosophic Premises of Locke's Politics: The Doctrine of the Law of Nature. *Chicago*.
- Philip S. Haring; B.A., Harvard, 1937; M.A., Chicago, 1953; Ph.D., *ibid.*, 1954. Major Problems in Modern Political Philosophy. *Chicago*.
- Robert H. Horwitz; B.A., Amherst, 1946; M.A., Hawaii, 1950; Ph.D., Chicago, 1954. The Political Philosophy of Civic Education. *Chicago*.
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- Bernard Kronick; A.B., California (Berkeley), 1937; Ph.D., *ibid.*, 1953. Political Ideas of Winston Churchill. *California* (Berkeley).
- Kenneth D. McRae; B.A., Toronto, 1946; M.A., Harvard, 1947; Ph.D., *ibid.*, 1954. The Political Thought of Jean Bodin. *Harvard*.
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- Stanley J. Parry; B.A., Notre Dame, 1941; M.A., Georgetown, 1947; Ph.D., Yale, 1954. The Political Science of Johannes Althusius. *Yale*.
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- John W. Baker*; A.B., Texas, 1942; Ph.D., California (Berkeley), 1954. Tripartism and the Public Interest. *California* (Berkeley).
- Lucius J. Barker*; A.B., Southern University, 1949; A.M., Illinois, 1950; Ph.D., *ibid.*, 1954. Offshore Oil Politics: A Study in Public Policy Making. *Illinois*.
- Hyo Won Cho*; A.B., Wittenberg College, 1950; M.A., Denver, 1952; Ph.D., Ohio State, 1953. The Evolution of RFC Functions: A Study in the Rise and Decline of an Agency. *Ohio State*.
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- Redmond J. Allman*; B.B.A., Boston University, 1940; A.M., Notre Dame, 1947; Ph.D., *ibid.*, 1954. Variation in the Number of Associate Justices on the Supreme Court of the United States from 1801 to 1869. *Notre Dame*.
- Walter F. Berns*; B.S., Iowa, 1941; M.A., Chicago, 1951; Ph.D., *ibid.*, 1953. Judicial Interpretations of Freedom and the Problem of Virtue. *Chicago*.
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James K. Sours; B.A., Wichita University, 1949; Ph.D., Harvard, 1954. Rent Control in Wichita: A Study in Intergovernmental Relation. *Harvard*.

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William R. Bigger; B.A., Wisconsin, 1940; M.A., *ibid.*, 1941; Ph.D., California (Los Angeles), 1954. Flood Control in Los Angeles County: A Study in Inter-Government Relations. *California* (Los Angeles).

Juan B. Gastambide; S.B., University of Puerto Rico, 1939; B.S.F., Michigan, 1947; M.F., *ibid.*, 1947; M.P.A., Harvard, 1952; Ph.D., *ibid.*, 1954. An Inquiry into the Possibilities of Local Planning in Puerto Rico. *Harvard*.

Duane W. Hill; B.A., Iowa, 1950; M.A., *ibid.*, 1951; Ph.D., *ibid.*, 1953. Legal Status of Cities and Towns in Iowa. *Iowa*.

Benjamin L. Hunton; B.A., Howard, 1940; M.A., *ibid.*, 1942; Ph.D., American, 1954. The Budget of the Department of War, 1922-1932. *American*.

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Winfred P. Minter; B.S., Virginia Polytechnic Institute, 1938; M.S., *ibid.*, 1939; Ph.D., Chicago, 1953. Military Purchasing and Procurement by the Confederate War Department, 1861-65. *Chicago*.

Arthur J. Misner; A.B., California (Berkeley), 1942; M.A., *ibid.*, 1948; Ph.D., California (Berkeley), 1954. The Development of Faculty Participation in University Administration. *California* (Berkeley).

Martin W. Moser; A.B., Pittsburgh, 1948; A.M., *ibid.*, 1948; Ph.D., Maryland, 1954. The Personnel System in the Department of State. *Maryland*.

Webster Pendergrass; S.B., Tennessee, 1936; S.M., *ibid.*, 1947; Ph.D., Harvard, 1954. Research, Education and Related Activities in Grassland Farming. *Harvard*.

Harry W. Reynolds, Jr.; B.A., Pennsylvania State, 1947; M.A., Harvard, 1949; Ph.D., Pennsylvania, 1954. Executive Coordination of Administrative Boards and Commissions in Pennsylvania. *Pennsylvania*.

James E. Skillington, Jr.; B.A., Dickinson, 1940; M.A., Buffalo, 1941; Ph.D., American, 1954. Proposed Modifications in Congressional Participation in the Budgetary Process, 1946-1950. *American*.

Alice W. Wallace; B.A., Central State Teachers College of Michigan, 1936; M.A., Michigan, 1942; Ph.D., *ibid.*, 1954. Public Welfare Administration at the City-County Level in Michigan with Special Reference to Ingham and Saginaw Counties. *Michigan*.

William L. C. Wheaton; B.A., Princeton, 1934; Ph.D., Chicago, 1953. The Evolution of Federal Housing Programs. *Chicago*.

George L. Willis; A.B., Indiana, 1948; M.A., North Carolina, 1950; Ph.D., Indiana, 1953. Administrative Development of Alcoholic Beverage Control in Indiana. *Indiana*.

Thomas L. Wood; A.B., Georgia, 1940; M.B.A., Columbia, 1950; Ph.D., American, 1954. Training and Utilization of Personnel with Marginal Intelligence by the United States Air Force. *American*.

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Mohammed I. Adham; B.A., Royal College of Law, Baghdad; M.A., American, 1950; Ph.D., *ibid.*, 1954. Special Problems of Government in the Arab States of the Middle East. *American*.

Berndt G. Angman; B.S., Houston, 1948; M.S., *ibid.*, 1949; Ph.D., Texas, 1954. A Study of Ideological Development within the Social Democratic Workers Party of Sweden in Relation to the Question of Socialization, 1932-1954. *Texas*.

David E. Apter; B.A., Antioch, 1950; M.A., Princeton, 1952; Ph.D., *ibid.*, 1954. The Gold Coast in Transition: A Case Study of Political Institutional Transfer. *Princeton*.

Frederick T. Bent; B.A., Ohio State, 1943; M.A., Chicago, 1947; Ph.D., *ibid.*, 1954. British Municipal Trade Unions: Policies, Practices, Relation to Whitleyism and Influence on Local Government. *Chicago*.

Leslie R. Bundgaard; B.S., Wisconsin, 1948; M.S., *ibid.*, 1949; Ph.D., Georgetown, 1954. Local Government of the Philippines. *Georgetown*.

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BIBLIOGRAPHICAL ARTICLE

A SELECTIVE SURVEY OF THE LITERATURE IN THE SOCIAL SCIENCES AND RELATED FIELDS ON MODERN NORTH AFRICA*

I. A NOTE ON NORTH AFRICAN STUDIES

One of the significant developments in American higher education and scholarship since World War II is the great interest shown in the relatively new discipline of area studies. This new interest is reflected in language study, where the science of linguistics applied during the war in the various armed service education programs opened the way to a study of even the most esoteric tongues. The new interest has perhaps penetrated even more deeply in the social sciences, including political science and international relations.

Institutes and programs devoted to the study of particular areas have emerged throughout the country, but in the carving up of the world into areas of study by American scholars, North Africa seems to have been left out. The area falls somewhere between the Middle or Near East and Africa. Geographically, it belongs to Africa; but it is separated from the major portion of the continent by the Sahara. The tendency among Africanists (most of whom have been anthropologists) has been to disregard Africa north of the Sahara, not only because of the great desert divide but also because the indigenous North African population is not of the same racial strain as most of the peoples south of the Sahara; nor is it as primitive. North Africa has been a seat of civilization for thousands of years—dating back to the pre-Christian era and extending down through a flourishing Christian civilization that was replaced more than a thousand years ago by the Moslem culture that still prevails in the area. It is the Moslem culture that ties North Africa to the Middle and Near East; but Middle or Near Eastern specialists have generally included only Egypt in their study. The great Libyan desert, the projection of the Sahara northward to the Mediterranean, has served effectively as a barrier between Egypt and the Near East on the one hand, and the rest of North Africa on the other. North Africa has thus, with certain few exceptions, been ignored by Africanists and the Middle and Near Eastern specialists. This is the case not only with Americans but with European scholars as well. The notable exceptions have been provided by the scholars of the countries that have had prolonged direct contact with the area, i.e., France, Italy, and Spain.

There are cogent reasons why North Africa should merit the particular attention of American scholars, other than that which is accorded it as an appendage to the Near East or as a misfit in the field of African studies. First, there is the obvious reason that the new role of the United States as a world power makes it incumbent upon American scholars to study all areas of the

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world. The area of North Africa currently occupies an important place in United States foreign affairs, as it did in the period of the Barbary pirates and during World War II. It is fairly certain that the current American interest will be a more lasting one than either of the previous contacts with the area. At present, whatever research in the political, social, and economic conditions and institutions in the area is going on in this country seems to be confined to researchers within the government of the United States. This is undoubtedly a great improvement over the situation that existed in 1941 when United States officials, faced with a sudden demand for information, scampered frantically for knowledge of any kind about the region.

A second reason why American social scientists should be interested in research on North Africa is that the area poses a number of highly significant problems in human relations. North Africa is an area in which one of the fundamental problems of our times—the working out of an imperialist-colonialist relationship—is coming to a head. In it are to be found the problems created by the impact of an advanced (in the material and technological senses at least) culture on the existing “backward” native culture, and by the process of adjustment and change that takes place in the latter under this impact. In French North Africa the problem is present with further complicating factors, because it involves not only the introduction of the advanced Western culture but also the settlement among the native population, proud possessors of a long cultural heritage and tradition, of large numbers of people bringing with them their contrasting Western cultural pattern. To a lesser extent this is the case in Libya, where it is a problem in Tripolitania. Thus, the problem involves not merely the adjustment of the native Islamic society to the innovations of the European culture but also the mutual adjustment of the two cultures, existing side by side. It is not surprising that this dual-cultural background should give rise to a bitter struggle for power, in some respects not unlike the struggles taking place in South Africa and East Africa. The implications of the socio-political issues in North Africa—nationalism, democracy, the working out of a pluralistic society, European settlement, the development of backward areas, etc.—extend well beyond the confines of North Africa and merit more serious attention by American social scientists.

II. BIBLIOGRAPHIES

There are very few bibliographical collections on North Africa. As a result of the sudden interest of the United States in North Africa during World War II, several bibliographical lists were prepared in the Library of Congress, the most extensive of these being *French Colonies in Africa: A List of References*, compiled by Helen F. Conover (G.P.O., Washington, 1942). This bibliography devotes much of its space to French North Africa. “List of References on the Spanish Colonies in Africa,” compiled by Florence S. Hellman (July 16, 1942) and “List of References on the Italian Colonies in Africa,” compiled by Grace Hadley Fuller (August 13, 1942, with a supplement issued in 1947), are available on loan in negative photostat from the General Reference and Bibliogra-

phy Division of the Library of Congress. The European Division of the Library of Congress has recently prepared a bibliography on all of Africa which includes special sections on North Africa. This bibliography, *Introduction to Africa: A Selective Guide to Background Reading* (The University Press, Washington, 1952), is, as its title implies, elementary and highly selective.

The bibliographies in foreign languages do not offer much more choice. For Morocco, the Institut des Hautes Études Marocaines publishes an extensive bibliography on all phases of Moroccan life in its review *Hespéris*, under the title "Bibliographie Marocaine." The bibliographies from 1923-1933 were combined by Pierre de Cernival, Christian Franck-Brentano, and Marcel Bousser and published as one volume (Larose, Paris, 1937). For the political scientist, the *Hespéris* is disappointing because of its very slight reference to political and governmental problems. The government of Spanish Morocco has published several bibliographies, of which the *Catálogo de Materias (obras relativas al Islam y África) de La Biblioteca General del Protectorado* (Tetuan, Spanish Morocco, Marroqui, 1952) is the most extensive. There are specialized bibliographies: Julien Franc's *L'Histoire de la Colonisation de l'Algérie: Les Sources d'Archives* (Algiers, 1928); and *Bibliographie Militaire des Ouvrages Français et des Articles des Principales Revues Françaises Relatifs à l'Algérie, à la Tunisie et au Maroc de 1830 à 1926* (État-Major de l'Armée, Service Historique, Paris, 1930-1935).

The Middle East Journal has published two important bibliographical articles on part of the area included in this article: Manfred Halpern, "Recent Books on Moslem-French Relations in Algeria," Vol. 3, pp. 211-15 (Apr., 1949); and "Literature on Arab Libya" by James W. Crudington, Vol. 6, pp. 247-51 (Spring, 1952).

It seems appropriate at this point to make mention of some of the leading foreign research institutes concerned with North African affairs. In France and in French North Africa, there are: Institut des Hautes Études Marocaines (Paris and Rabat); Centre des Hautes Études d'Administration Musulmane (Paris); Institut des Sciences Administratives, Sociales et Coloniales (Algiers); Institut des Hautes Études Tunisiennes (Tunis). In Italy, there are: Centro di Studi Coloniali (Florence), Centro di Studi e Scambi Internazionali (Palermo), and Istituto Agricolo Coloniale (Florence).

III. LIMITATIONS OF THE BIBLIOGRAPHY

Before proceeding with the bibliography proper, the reader should be aware of the limitations that govern it. One limitation has already been alluded to, namely the extent of the geographic area covered. The political units involved are Morocco, Algeria, Tunisia (these three countries are often commonly referred to as French North Africa), and Libya. Egypt is excluded, although it is geographically in North Africa, because it has traditionally been considered an integral part of the Near or Middle East. A second limitation is implied in the title of the article. This article deals with modern North Africa; it is not concerned with the period of classic antiquity, for which there exists a considerable

body of literature. Naturally, some reference will be made to works of an historical nature, but the main emphasis will be on the literature that contributes to an understanding of the contemporary scene.

The purpose of the article is to acquaint American scholars with the literature on the area and, ancillary to that, to call their attention to the interest it has for the social science researcher and scholar. It does not deal exclusively with works falling traditionally within the scope of political science. Neither is it an exhaustive examination of the literature, particularly with regard to the contributions in foreign languages, which have been treated in a highly selective manner. No attempt is made to include any of the literature in Arabic.

An examination of the literature in the field will reveal that it is, at best, uneven. This is true for both the English and non-English works. The literature in English is quantitatively and, with some few exceptions, qualitatively weak. The non-English literature is quantitatively rich but quite uneven in quality. There are the works of men like Julien, Montagne, and Despois that are in the best tradition of sound scholarship, but there are also many volumes of marginal quality.

Following a description of works dealing with more than one of the political units, the literature will be surveyed country by country. Since the aim is to introduce the area to Americans, some of the more significant journal articles in English will be included. No attempt will be made to deal with the vast array of periodical literature appearing in French, Spanish, and Italian. Neither will this bibliography attempt to delve into the general field of Islamic civilization and culture, except to call attention to certain references of particular interest to the area. Each of the sections will begin with works dealing with the historical, cultural, social, and economic background of the area. Due to the inadequacy of scholarly literature in English, some of the more outstanding writings of journalists and non-technical writers will be noted. A fairly large body of literature in this popular category has been built up. Often the insight to be gathered from these works is better than that to be had from ponderous scholarly tomes.

Except where they shed light upon the institutions and problems of the area itself, works concerning the Allied Occupation and problems arising from it that pertain exclusively to World War II are omitted.

IV. GENERAL WORKS

North Africa was once one of the main centers of Islamic culture and civilization. Today, the *Maghrib* (the West), as North Africa is called in Arabic, no longer occupies the place it used to in the Moslem World. Nevertheless, it is part of it and in thinking of North Africa one must not lose sight of this fact. The dilemma of the dual-cultural pattern in North Africa exists because of the significance of this Islamic heritage to the people of the area. For a general introduction to the Islamic world the reader is referred to Carl Brocklemann, *History of Islamic Peoples*, translated from the German by Joel Carmichael and Moshe Pearlman (Putnam, New York, 1947); H. A. R. Gibb's *Mohammed-*

anism (Oxford University Press, London, 1949) and his *Modern Trends in Islam* (University of Chicago Press, Chicago, 1945); George E. Birk's *A Short History of the Middle East from the Rise of Islam to Modern Times* (Public Affairs Press, Washington, 1949); and Roger Le Tourneau's *Islam Contemporain* (Les Editions Internationales, Paris, 1950).

Concerning Islamic practice in North Africa, there is Professor G. H. Bousquet's *L'Islam Maghrebin: Introduction à l'Étude Générale de l'Islam* (La Maison des Libres, Algiers, 3rd ed., 1949). Herbert J. Liebesney's bibliographical article, "Literature on the Law of the Middle East," *The Middle East Journal*, Vol. 3, pp. 461-69 (Oct., 1949), can also be consulted for works on Islamic law pertaining to North Africa.

Few works encompass the entire area delimited for this bibliography, i.e., French North Africa and Libya. Indeed it is a formidable task to deal with the entire area, for despite the many similarities in culture, language, religion, and social and political problems that one finds throughout the area, the many divergencies in history, ethnology, geography, etc., detract from its homogeneity. Yet there have been some daring souls who braved the difficulties and who have achieved a modicum of success. Their works serve as a good general introduction to the area.

Carleton S. Coon's *Caravan: The Story of the Middle East* (Henry Holt, New York, 1951) is the most ambitious and the most satisfying of works of this kind. Bringing to bear the vast knowledge, understanding, and insight accumulated from some twenty-five years of working in North Africa and the Middle East, Coon has produced a remarkable book about the area and its people. *Caravan* covers the Near or Middle East as well as North Africa west of Egypt. This does not detract from the significance of the book for anyone interested in North Africa, particularly since it reflects the author's great familiarity with parts of the area. The importance of the work lies in its successful portrayal of the social milieu and the pattern of life of the North African native population. Coon has also written a shorter and somewhat less satisfying introduction to the area in a 54-page chapter entitled "North Africa" in *Most of the World: The Peoples of Africa, Latin America and the East Today* (Columbia University Press, New York, 1949), edited by the late Ralph Linton. A more specialized work treating North Africa and Western Asia is Robert Montagne's *La Civilisation du Desert Nomades d'Orient et d'Afrique* (Hachette, Paris, 1947). This is a sociological study of the Bedouins, of particular interest to North Africa because it traces the interaction of Arabs and Berbers.

Another highly ambitious and unique work is Galbraith Welch's *North African Prelude: The First Seven Thousand Years* (Wm. Morrow & Co., New York, 1949). Although covering much of the same area as Coon's *Caravan*, this book is in no way comparable. Whereas Coon's volume is analytical and organized institutionally, this is essentially descriptive and chronological—the work of a romantic writer who, having had extensive experience in the area, was prompted to write this book by the sudden interest in North Africa aroused by the early events of World War II. Within the confines of some 620 pages,

the author has set down in a light, readable, but somewhat discursive manner, the history of North Africa from the time of the earliest recorded period to the present. Although designed for the general reader, it is of some value to serious students as well.

Interest in North Africa during World War II prompted other publications. Among these are Alan Houghton Broderick's *North Africa* (Oxford University Press, London and New York, 1942), a little volume in "The World Today Series." Not a pretentious work, it is useful as a brief informal account of the geography, history, economics, politics, and social conditions of Libya, Algeria, Tunisia, and Morocco. The fact that some portions of the book deal with problems of special interest during the war make it somewhat dated. Serving a similar purpose is the Royal Institute of International Affairs' 26-page pamphlet, *North Africa*, published in May, 1943 as No. 2 in the RIIA's series of Information Notes. Among works dealing with North Africa from Morocco through Libya mention should be made of Robin Maugham's *North African Notebook* (Chapman and Hall, London, 1948), a vivid personal account by an observant young British writer, somewhat sympathetic to Arab nationalism, of his six months' stay in the area.

Turning to the general works on French North Africa, there is first Charles-André Julien's monumental *Histoire de l'Afrique du Nord* (Payot, Paris, in one and two volume editions, 1931.) Julien is in the process of revising this work, which is recognized as standard in the field, and thus far two revised volumes have appeared. The first volume, "Des Origines à la Conquête Arabe 647 A.D.," was revised with the aid of Christian Courtois and appeared in 1951. Roger Le Tourneau aided in the revision of the second volume, "De la Conquête Arab à 1830." Julien, who is Professor of History at the Sorbonne, covers the history of North Africa from antiquity to contemporary times and the work contains a most comprehensive bibliography. Jean Despois' *L'Afrique du Nord* (Presses Universitaires de France, Paris, 1949) is another work of high scholarship. This work, although mainly concerned with economic geography, contains sections on history, human geography, political institutions, and cultural development. Among the more important subjects treated is the effect of European colonization on the native society and population. An extensive bibliography is included. Also bridging the ethnological and historical fields, and concerned with one of the fundamental problems in the area—that of the relations between Arabs and Berbers—is Eugene Guernier's *La Berberie, l'Islam et la France* (Editions l'Union Française, Paris, 1950, 2 vols.). The author goes back to the earliest history of the region in surveying the background of the indigenous Berber population that predated the Arab invasions. Volume I is concerned with this early history while Volume II deals with the modern period under French rule. Another difficult ethnological problem in French North Africa involves the indigenous Jewish population. André Chouraqui's *Les Juifs d'Afrique du Nord* (Presses Universitaires de France, Paris, 1952) contributes much to an understanding of the Jewish communities.

Population growth in backward areas is one of the burning social problems

of our times and this problem in French North Africa, together with its social and economic consequences, is the subject of Louis Chevalier's *Le Problème Démographique Nord Africain* (Presses Universitaires de France, Paris, 1947), published as Cahier No. 6 of the Institut National d'Études Démographiques' "Travaux et Documents" series. Many of the problems considered by Chevalier are discussed from a different vantage point in *Industrialisation de l'Afrique du Nord* (Colin, Paris, 1952), a study undertaken by the Centre d'Études de Politique Étrangère with aid from the Rockefeller Foundation. This is a collection of many brief studies and essays by experts, including Despois, Montagne, Chevalier, and others, many of whom are either in the North African administrations or closely associated with them. The problem of industrialization is analyzed from every angle by the contributors: geographic, technical, financial, commercial, political, administrative, and social. Both this work and Chevalier's are highly useful for the raw material and statistical data they contain. Professor Melvin M. Knight of the University of California, one of the few American scholars who have devoted attention to North Africa, has written a provocative article on North African demography and land utilization. The article, "Economic Space for Europeans in French North Africa," appearing in the February, 1953 issue of *Economic Development and Social Change*, published by the University of Chicago's Research Center in Economic Development and Cultural Change, is in a sense a critical evaluation of most of the recent French research on the problem.

A good survey of French North Africa's physical environment is to be found in P. Boudy's *Économie Forestière Nord-Africaine, Vol. 1: Milieu Physique et Milieu Humain* (Larose, Paris, 1948). In 1952, when interest in French North Africa was heightened as the questions of Tunisia and Morocco were being raised at the United Nations, the Office of Technical Publications of the French Prime Minister issued a 50-page pamphlet with charts, graphs, statistics, and photographs entitled *Facts and Figures about French North Africa*. Naturally, the facts and figures are selective, designed to illustrate "what has been accomplished in Algeria, Tunisia and Morocco under French administration." There are few official publications of documents or statistics for French North Africa as a whole, these being issued separately by the governments of Algeria, Tunisia, and Morocco. The French government publishes annually the *Revue Algérienne Tunisienne et Marocaine de Legislation et de Jurisprudence*, a convenient compilation of legislation, court decisions, and articles on legal questions. It also issues some non-legal documentation on Algeria, Morocco, and Tunisia in the *Notes et Études Documentaires* series of *La Documentation Française*. In addition, the Service de Presse et d'Information of the French Embassy in New York issues *News from France* in which there are separate series for these areas.

Since French North Africa is not a political entity, works dealing with the governmental framework of the area as a whole are scarce. Herbert J. Liebesny's *The Government of French North Africa* (University of Pennsylvania Press,

Philadelphia, 1943) is perhaps the only work of this kind in English or French. Written during the war, it is now to a considerable extent outdated, but remains a useful analysis of the administrative and legal systems of the area up to 1942.

The standard authoritative reference work on the law of French overseas territories is Arthur Girault's *Les Principes de Colonisation et de Législation Coloniale*, first published in 1895 and revised in 1936 and 1938 by Louis Milliot. Volume 4 is concerned exclusively with Algeria while Volume 5 is devoted to Tunisia and Morocco, including the international zone of Tangier. In addition to their accurate documentation, the Girault-Milliot work presents in Volume 4 a bibliography on North Africa in general and on Algeria in particular, and in Volume 5 a bibliography on Tunisia and Morocco.

An understanding of governmental and political problems in French North Africa requires a knowledge of French colonial policy. Two works in English, while not concerned exclusively with French North Africa, are important in this connection. The first is Stephen Henry Roberts' *History of French Colonial Policy, 1870-1925* (King, London, 1927, 2 vols.), a thorough exposition including social and economic as well as political aspects of French policy. The second is Herbert Ingram Priestly's *France Overseas: A Study of Modern Imperialism* (Appleton-Century, New York, 1938), published under the auspices of the American Historical Association. This is a fine work in which each North African territory is given individual treatment. The most recent treatise on French colonial policy is Professor Georges Hardy's *Histoire Sociale de la Colonisation Française* (Larose, Paris, 1953). Hardy, one of France's leading scholars of French colonialism, includes in this work a brief section on the aftermath of the war, with particular attention to the rise of nationalism. The problem of the French Union, with emphasis on French North Africa, has been discussed by General Georges Catroux in "The French Union," which appeared as the November, 1953, issue of the Carnegie Endowment for International Peace's *International Conciliation*. In this connection, Dorothy Pickles' *French Politics: The First Years of the Fourth Republic* (Royal Institute of International Affairs, New York, 1953) contains chapters on "The Concept of the French Union" and "Achievements and Problems of the French Union." Another useful work in this general area is Daniel Boisdon's *Les Institutions de l'Union Française* (Berger-Levrault, Paris, 1949). An important article in English on the question of the French Union with some reference to North Africa is Julien's "From the French Empire to the French Union," *International Affairs* (London), Vol. 26, No. 4, (October, 1950). François Luchaire's *Manuel de Droit d'Outre-Mer* (Sirey, Paris, 1949) is a legalistic tome, most of which is devoted to French North Africa. The transition from colonial empire to French Union, stressing the wartime and postwar evolution of a new colonial policy, is dealt with in Michel Divèze's *La France d'Outre-Mer, de l'Empire Colonial à l'Union Française, 1938-1947* (Paris, Hachette, 1948). The situation in French North Africa during the war, and its effect upon the people, constitutes part of the

story told by Kenneth Pendar, one of Ambassador Robert Murphy's vice-consuls in North Africa during the early part of the war, in his *Adventure in Diplomacy: Our French Dilemma* (Dodd, Mead & Co., New York, 1944).

In the purely political realm, in which the central question is the struggle for power between the rising native Moslem nationalism and the interests of the French settlers and French government, works dealing with the entire area are equally sparse. The most recent work in this field is Julien's *L'Afrique du Nord en Marche: Nationalisme Musulman et Souveraineté Française* (Juilliard, Paris, 1953). This book is critical of French policy and of some nationalist activity, although it is on the whole favorable to the nationalists. It brings together a wealth of material and insight on this difficult problem and, by dealing with the three territories, it adds a needed perspective to the viewing of the nationalist problem. Another recent thoughtful appraisal of the situation in North Africa is René Schaefer's *Drame et Chances de L'Afrique Du Nord* (Les Editions Internationales, Paris, 1953), which is primarily a discussion of the socio-cultural background of the nationalist-French conflict in North Africa. G. Surden's *La France en Afrique du Nord* (Editions Alger Republicain, Algiers, 1946) is a work by a leading Algerian jurist on the question of the mutual adjustment of the French and Moslem populations of North Africa. Two articles on this subject by Charles-André Julien, both appearing in *Foreign Affairs*, merit mention: (1) "France and Islam," Vol. 18, No. 4, pp. 680-99 (July, 1940); (2) "Crisis and Reform in French North Africa," Vol. 29, No. 3, pp. 445-55 (April, 1951). In the same area, but generally not sharing Julien's viewpoint, are Henry Bénazet's *L'Afrique Française en Danger* (Fayard, Paris, 1947), which deals with other parts of French Africa as well as North Africa, and Bernard Lavergne's *Une Révolution dans la Politique Coloniale de la France: le Problème de l'Afrique du Nord* (Mercure, Paris, 1948). An informed American viewpoint is presented by Vernon McKay in his article "France's Future in North Africa," *The Middle East Journal*, Vol. 2, pp. 293-305 (July, 1948).

Relatively little good work has been done on the prewar rise of nationalism in French North Africa. A factually informative treatment is to be found in two volumes of the Royal Institute of International Affairs' *Survey of International Affairs*, edited by Arnold Toynbee. Volume I of the 1925 *Survey* is entitled *The Islamic World since the Peace Settlement* and its Part II deals with North-west Africa, including Libya. Volume I of the 1937 *Survey* has a long section on "Unrest in the North-West African Territories under French Rule 1927-1937." An early work, hostile to the liberalization of French policy toward the native population of North Africa, is Charles Louis Collom's *Vérités Nord-Africaines* (Presse Nord-Africaine, Algiers, 1932).

The placing of the Tunisian and Moroccan questions on the agenda of the United Nations raised the issue of the competence of the United Nations to deal with these questions, particularly in view of France's declaration that these were matters essentially within her domestic jurisdiction and hence, in accordance with Article 2, par. 7 of the U.N. Charter, outside the competence of the United Nations. Georges Day's *Les Affaires de la Tunisie et du Maroc*

devant les Nations Unies (Editions A. Pedone, Paris, 1953) generally supports the French contention. For other arguments on this question, both for and against the French position, the debates on the Tunisian and Moroccan questions in the Security Council and the General Assembly in 1952 and 1953 should be consulted.

V. ALGERIA

Algeria is the part of French North Africa which has had the longest and closest association with France. Unlike Tunisia and Morocco, it is not a protectorate but an overseas territory which, as the Department of Algiers; Constantine, and Oran, has been politically integrated as part of France. In other ways, however, Algeria is distinct from Metropolitan France, particularly in juridical matters concerning the native population. Thus, despite political integration, the social and political problems inherent in the duo-cultural pattern exist in Algeria. This makes the Algerian situation basically similar to the one that prevails in Morocco and Tunisia, although there are distinctions generated by unique local and historical conditions. The absence in the case of Algeria of the drama and urgency that has characterized Tunisian, Moroccan, and Libyan matters before the United Nations is reflected in the relatively scant material that has appeared recently devoted exclusively to Algeria. This is to be regretted, because Algeria is in many ways the crux of the entire dual-cultural problem of North Africa. It is the mainstay of the *colon* spirit in French North Africa and at the same time it is the home of the most uprooted indigenous population and of a growing, restless proletariat.

The history of the French penetration into Algeria has received full treatment by Augustin Bernard in his *L'Algérie* (Alcan, Paris, 1929) and in the chapters on Algeria by Julien in his *Histoire de l'Afrique du Nord*. Victor Piquet's *L'Algérie Française* (Colin, Paris, 1930) is a general review of the first century of French rule with special attention to colonization and administration. A more recent work is Gabriel Esquer's *Histoire de l'Algérie* (Presses Universitaires de France, Paris, 1950), appearing in the excellent *Que Sais-Je?* series of little volumes. Esquer's work is brief but succinct and provides a fairly thorough and reliable survey of the French role in Algeria from 1830 to 1950. The only work in English on the subject is Wilfrid Blunt's *Desert Hawk: Abd el Kader and the French Conquest of Algeria* (Methuen, London, 1947), a popular history of the early period of French penetration into Algeria focused on the activities of the Emir Abd el Kader, the man who rallied stubborn resistance to the French in Algeria. Another recent work is Jean Blottière's *L'Algérie* in the *Terres Lointaines* series (Société d'Editions Géographiques, Paris, 1948). This volume goes back to prehistoric times and is largely a survey of the geography and economy of the country, although it contains some social and political material as well.

Algeria's geography and economy are the subject of M. Larnaude's *Algérie* (Beyer-Levrault, Paris, 1950), which suffers from the failure of the author to integrate his material satisfactorily. An earlier work dealing with the economic resources and possibilities of Algeria and containing a useful bibliography is

Paul Desfeuilles' *L'Algérie* (Roger, Paris, 1931). Algerian ethnology has not received the attention from social scientists that has been accorded in the case of neighboring Morocco. Some important work was done in this area in the latter half of the nineteenth century. More recently there has been Martial Rémond's *La Kabylie* (Bacounnier, Algiers, 1937) and the work of an American missionary, Glora Wysner's *The Kabylie People* (New York, privately printed, 1945). A monograph dealing with the Jews in Algeria and their treatment after the fall of France is Michel Ausky's *Les Juifs d'Algérie* (Editions du Centre, Paris, 1950).

The problem of acculturation has been dealt with by René Maunier in a careful socio-juridical study, *Loi Française et Coutume Indigène en Algérie* (Domat-Montchrestien, Paris, 1932), and by Paul Hustin in *La Doctrine de l'Association des Indigènes et des Français en Algérie* (Domat-Montchrestien, Paris, 1933). Less legalistic is Jean Mélice's *Le Triste Sort des Indigènes Musulmans d'Algérie* (Mercure de France, Paris, 1935), the reflections of a thoughtful man who served in high administrative posts in Algeria and who is troubled by the difficult problem of Franco-Moslem relations in Algeria.

The major political issue in Algeria centers about the role and position of the native population *vis à vis* the French settlers. With the rise of nationalist movements, many governmental changes have taken place during the past decade, partly in response to nationalist agitation, partly to take the wind out of the nationalists' sails, and partly to strengthen the position of the *colon* group. A number of interesting and revealing works deal with this central problem and related issues. Paul-Émile Sarrasin's *La Crise Algérienne* (Cerf, Paris, 1949) is an analysis of the principle nationalist groupings in Algeria. The usefulness of this book is heightened by its sixteen annexes which contain the most significant documents of the past two decades on the question. Sylvain Wisner's *L'Algérie dans l'Impasse: Démission de la France?* (Spartacus, Paris, 1948) is highly critical of official French policy. L. Gray Cowan's "The New Face of Algeria," *Political Science Quarterly*, Vol. 66, No. 3, pp. 340-65 (Sept., 1951) and Vol. 66, No. 4, pp. 507-31 (Dec., 1951), is one of the most thorough discussions in French or English of the important Statute of Algeria of September 20, 1947, which attempted to reconcile the demands of the native population for more political rights with their reluctance to give up their traditional "personal status" (being subject to traditional Koranic law). The legal arguments over the Statute are discussed in Paul Émile Viard's *Les Caractères Politiques et le Régime Législatif de l'Algérie* (Sirey, Paris, 1949), while the entire Algerian legal system is treated by Jacques Lambert in the first (and thus far the only published) volume of his *Cours de Législation Algérienne, Tunisienne et Marocaine* (Librairie Ferraris, Algiers, 1949). A decade before the Statute of Algeria was passed, the question of the extension of political rights of the Moslem population was a burning issue as the Léon Blum Popular Front government sought to introduce reforms in this field. This attempt is discussed in another monograph by Viard, *Les Droits Politiques des Indigènes d'Algérie* (Sirey, Paris, 1937). The central figure in the Popu-

lar Front's attempt to liberalize French policy was Maurice Violette, a former French Governor-General of Algeria, who drafted the plan of reforms that bore his name, Project Violette. He had previously written a provocative analysis of the question in *L'Algérie Vivra-t-Elle?* (Alcan, Paris, 1931). In May, 1945 Algeria experienced a serious native uprising in the Constantine-Setif region. Manfred Halpern analyzed the event and the rumblings of Algerian native restiveness in a significant article, "The Algerian Uprising of 1945," in *The Middle East Journal*, Vol. 2, pp. 191-202 (April, 1948).

The nationalist movement itself has contributed a fairly substantial body of literature, usually in the form of tracts and pamphlets. This literature is not unimportant, since it is a reflection of the thinking of perhaps the most articulate if not the most influential section of the native population. There are two leading nationalist parties in Algeria—the Union Démocratique du Manifeste Algérien (U.D.M.A.) and the Mouvement pour le Triomphe des Libertés en Algérie (M.T.L.D.) U.D.M.A. generally publishes in the *Editions Libération* while the M.T.L.D. uses the title *Editions Algérienne En-Nahda*.

Of special importance in this category are the writings of the party leaders, Ferhat Abbas of the U.D.M.A. and Messali Hadj of the M.T.L.D. Typical of the many party tracts are Messali Hadj's *Appel aux Nations Unies*, published in Paris in 1948 at the time the U.N. General Assembly was meeting there, and U.D.M.A.'s *Du Manifeste à la République Algérienne*, (July, 1948).

The Algerian government itself publishes some useful documentary material. Since October, 1945, the Service d'Information du Cabinet du Gouverneur Général de l'Algérie has published a series of fascicules entitled *Documents Algériens*, each of which is a brief but complete study of a subject. Five series of *Documents Algériens* appear: *Politique*; *Economique*; *Sociale*; *Militaire*; and *Culturelle*. At the end of each year, the fascicules are bound together and issued as an annual, *Synthèse de l'Activité Algérienne*. The Gouvernement Général de l'Algérie also publishes an annual, *Exposé de la Situation Générale de l'Algérie*, which contains a storehouse of statistical material and summary reports of the activities of all branches of the Algerian government. A singularly interesting companion to this annual is the special *Exposé de la Situation Générale des Territoires du Sud de l'Algérie de 1930 à 1946*, published by the Direction des Territoires du Sud of the Governor General's office (Imprimerie Officielle, Algiers, 1947). This is one of the very few references available on the southern territories of Algeria. It contains a fine bibliography and an historical survey of the origin and penetration of the territories, as well as the usual statistical, social, economic, geographic, and administrative data. Since 1947 reports on this area have been included in the *Exposé de la Situation Générale de l'Algérie*. Statistical data for Algeria is to be found in the *Annuaire Statistique de l'Algérie*, published by the Service de Statistique Générale.

VI. MOROCCO

The literature on Morocco is more copious than that on any of the other North African territories. Morocco's unique political status, that of a pro-

tectorate divided into three zones—French, Spanish, and International (Tangier)—and the distinct role it has played in international politics have no doubt contributed to the volume of writings on the country. Furthermore, the fact that the country, its people, and their problems constitute a veritable laboratory in human relations has no doubt accounted for the serious attention devoted to Morocco by a substantial number of reputable social scientists.

Morocco boasts a long history as an independent state prior to the establishment of the French protectorate in 1912. In fact, Morocco was the only North African country not to come under Ottoman domination, and one can understand the fascination that this country holds for historians. In the realm of general history, the most authoritative contributions are Augustin Bernard's *Le Maroc* (Alcan, Paris, 1931), a work that has gone through more than a half-dozen editions, and the chapters on Morocco in Julien's *Histoire de l'Afrique du Nord*, cited above. A fine survey of Moroccan history and life that also includes an anthology of extracts from many writers is Georges Hardy's *Le Maroc* (Renouvard, Paris, 1930). More recently, two works entitled *Histoire du Maroc* have appeared. One, by Henri Terrasse (Plon, Paris, 1952), is little more than an outline sketch of Moroccan history. Its third part, "The Great Problems of Moroccan History," is perhaps the most rewarding feature of the work, for in it Terrasse focuses attention on some of the fundamental problems that confront Morocco today. Terrasse's history has been translated into English by Hilary Tee as *History of Morocco* (Éditions Atlantides, Casablanca, 1952). Henri Cambon's *Histoire du Maroc* (Hachette, Paris, 1952), after sketching Moroccan history to the nineteenth century, devotes itself in greater detail to the study of Morocco during the past two centuries.

More specialized aspects of Moroccan history have also attracted the attention of scholars. The interrelationship of religion and political and social life is characteristic of any Islamic country and in this area Georges Drague's *Esquisse d'Histoire Religieuse du Maroc: Confréries et Zaouias* (Peyronnet, Paris 1951) fills the need for a comprehensive treatise on Moroccan religious history. Drague's work is especially valuable for its analysis of the religious brotherhoods and for the substantial amount of original material included in it. Another highly specialized study, on an entirely different aspect of Moroccan history, is Earl Fee Cruickshank's *Morocco at the Parting of the Ways: The Story of Native Protection to 1885* (University of Pennsylvania Press, Philadelphia, 1935), which deals with the extension of foreign diplomatic and consular protection to Moroccan natives during the nineteenth century. Among the most illuminating specialized works is Roger Le Tourneau's *Fès avant le Protectorat* (Société Marocaine de Librairie et d'Édition, Casablanca, 1949). This is an analytical description of the economic and socio-political institutions of Fez, one of the oldest cities in North Africa and the intellectual capital of Morocco for centuries. Le Tourneau, one of France's leading specialists on Moslem affairs, in presenting this meticulous study of life in the thriving city before the impact of European imperialism, has made a profound contribution to the study of Moroccan affairs in particular and of Islamic affairs in general. For the political scientist,

Part IV, which treats thoroughly the system of city government, is of particular interest.

The historical background of the French conquest of Morocco has been dealt with by Jean Caloni in *La France au Maroc* (Editions Littéraires et Techniques, Paris, 1937), while an exposition of the last stages of the French "pacification" of Morocco may be found in René Pinon's *Au Maroc: Fin des Temps Héroïques* (Berger-Levrault, Paris, 1935). The campaign of "pacification" in Morocco and Abd-el-Krim's Rif rebellion in the twenties which prolonged that campaign inspired many popular books, of which the most noteworthy in English are Walter B. Harris' *France, Spain and the Rif* (Longmans, Green and Co., New York, 1927) and Vincent Sheehan's *An American among the Riffi* (The Century, New York, 1926). A work describing Spain's role in Morocco from 1904 to 1927 is *Historia de la Acción de España en Marruecos* (Ibéria, Madrid, 1929).

The outstanding figure in the establishment of the French protectorate was Marshal Louis Lyautey, and his life and work in Morocco have been the subject of a number of biographies. Mention is made here of only the more significant works, such as Georges Hardy's discerning *Portrait de Lyautey* (Bloud et Gay, Paris, 1949), Louis Barthou's *Lyautey de le Maroc* (Le Petit Parisien, Paris, 1931), André Maurois' *Lyautey*, which was translated into English (Appleton, New York, 1931), and the most recent of all, *Lyautey le Marocain* (Hachette, Paris, 1952), by General Georges Catroux. Catroux, who served with Lyautey in Morocco and who since has become one of France's leading authorities on Moroccan and Moslem affairs, has written what is perhaps the most penetrating volume on Lyautey.

There are several works that incorporate within one volume a brief review of Moroccan history together with a survey of the country's geography, economy, social conditions, and governmental organization. One of the most reliable of these works, appearing in the *Terres Lointaines* series, is *Le Maroc*, by Roger Coindreau and Charles Prenz (Société d'Editions Géographiques, Paris, 1949). This book is noteworthy also as one of the few works dealing with all of Morocco—French, Spanish, and Tangier. Other general works are: *Initiation au Maroc* (Editions d'Art et d'Histoire, Paris, 1937, rev. ed. 1945), which contains a set of essays on modern Morocco by members of the Institut des Hautes Études Marocaine; *Maroc*, by J. Célérrier (Berger-Levrault, Paris, 1948); *Le Maroc*, by J.-L. Miège (Presses Universitaires de France [*Que Sais-Je?* series], Paris, 1950), which has also appeared in an English translation by O. C. Warden (Nicholas Kaye, London, 1953); and Rom Landau's *Morocco*, which constitutes the September, 1952 (No. 483) issue of *International Conciliation*. A handy little reference and a source of much factual material is *Géographie de Maroc*, by Fernand Joly and others (Delagrave, Paris, 1949). In Spanish, there is V. Tomás Perez' *Marruecos* (Bosch, Barcelona, 1935), a work on the human and economic geography of both French and Spanish Morocco, and *Nuestro Protectorado* (Fuentenebio, Madrid, 1930), by José G. Sanchez, a work devoted only to the Spanish zone.

One of the all too few scholarly works by an American on modern Morocco is

Melvin M. Knight's *Morocco as a French Economic Venture* (Appleton-Century, New York, 1937). In this book, the effects of twenty-five years of French protection and the workings of the open door system are carefully examined. French contributions in the same area of economic development and covering approximately the same period of time are René Hoffherr's *L'Economie Marocaine* (Sirey, Paris, 1932) and André Collier's *Notre Protectorat Marocain* (Rivière, Paris, 1930). Hoffherr is also the principal author of an important monograph on the native economy, *Revenus et Niveaux de Vie Indigènes au Maroc* (Sirey, Paris, 1934). Two works on economic and social developments in Spanish Morocco are *Economía Social de Marruecos*, by Tomás García and Rafael de Roda Jiménez (Consejo Superior de Investigaciones Científicas, Madrid, 1952) and *España en Marruecos: La Obra Social*, by Vial de Morla (Instituto de Estudios Africanos, Madrid, 1947).

The impact of European imperialism upon native Moroccan society had among its effects the introduction of new social and economic problems, such as the dislocation of the rural economy and its population as land was made available for French settlers, and the growth of a new urban proletariat when many of these dislocated country folk drifted to the newly developed urban centers. Several important studies on these problems have appeared recently, but much more work still needs to be done. A most important contribution is *Naissance du Prolétariat Marocain* (Peyronnet, Paris, 1951), a collective research inquiry conducted between 1948 and 1950 under the direction of Robert Montagne and issued as one of the *Cahiers de l'Afrique et l'Asie*. The chief drawback of this work lies in the close association that many of the contributors have with the administration, a fact which may explain the reluctance of the authors to criticize the French administration and its policies. The book is highly significant, however, as a unique work describing one of the most formidable, basic problems in Morocco. Another of the *Cahiers de l'Afrique et l'Asie* is *L'Évolution Sociale du Maroc* (Peyronnet, Paris, 1951), which is a collection of three monographs: *Une Famille Marocaine*, by Jean D'Etienne; *L'Évolution de la Vie Citadine au Maroc*, by Louis Villème; and *Le Prolétariat Marocain de Port Lyautey*, by Stéphane Delisle. Change in rural Morocco and the administrative policy and techniques involved in introducing this change are discussed by Yves Barennes in *La Modernisation Rurale au Maroc* (Librairie Général de Droit, Paris, 1948). The rural population is discussed from a different vantage point by Father Ange Koller, a Franciscan missionary who lived among the Berbers for more than a decade, in his *Essai sur l'Esprit du Berbère Marocain* (Imprimerie Saint Paul, Fribourg, Switzerland, 1946), a work which is rewarding for the contribution it makes to an understanding of the Berber psychology. Also the result of many years of experience as a missionary is James Haldane's *Trekking among Moroccan Tribes* (Pickering, London, 1948).

In the field of government and politics, the closest approximation to an analysis of the governmental structure and institutions of French Morocco is André de Laubadère's *Les Réformes des Pouvoirs Publiques au Maroc: Le*

Gouvernement; L'Administration; La Justice (Librairie Générale de Droit et de Jurisprudence, Paris, 1949). Important changes have recently taken place in the structure of the Moroccan government, following years of tension culminating in the crisis that brought about the removal and banishment of the nationalist-minded Sultan, Mohammed Ben Youssef. Although Professor Laubadère's treatise predates the new reforms, it is still germane. The government has not been altered extensively and Laubadère's study provides the essential background for understanding the changes that have taken place. Another extremely valuable treatise on Moroccan governmental institutions is Frédéric Brémard's *L'Organisation Régionale du Maroc* (Librairie Générale de Droit et de Jurisprudence, Paris, 1949). Concerned largely with the problems of local and regional government, this work presents a systematic analysis of these institutions and then proceeds to consider the problem of centralization and decentralization. Although the author is an advocate of decentralization, he presents a careful and balanced discussion of the ecological, historical, and ethnographic factors involved. Brémard has also written an important treatise on one of the touchiest issues in Morocco in *Les Droits Publiques et Politiques des Français au Maroc* (Librairie Générale de Droit et de Jurisprudence, Paris, 1950). Although this work is of a largely juristic nature, it deals with a crucial aspect of the dual-cultural pattern, namely, the grant of special privileges and power to the more advanced and new element of the population. A significant collateral work in the field of juridical rights of a minority group in Morocco is André Chouraqui's *La Condition Juridique d'Israélite Marocain* (Alliance Israélite Universelle, Paris, 1950). Also in the field of rights is an earlier, but nevertheless useful treatise, Pierre Stéfani's *Les Libertés Publiques au Maroc* (Sirey, Paris, 1938).

A problem somewhat peripheral to the basic political and social issues in Morocco, but of special interest to the political scientist because of the unique international administration, is that of the International Zone of Tangier. The standard work in English on the problems of the international administration is Professor Graham H. Stuart's somewhat dated *The International City of Tangier* (Stanford University Press, Stanford, 1931). A more recent study is Rom Landau's *Portrait of Tangier* (Robert Hale, London, 1952). The work of a writer with a sharp reportorial eye, this volume makes a distinct contribution to the understanding of the international regime, although it does not dwell exclusively on matters of administration. The view that Spain should be given exclusive control over Tangier is presented by a Spanish author using the pseudonym "The Man of the Street" in *España y Tanger* (Hidalgo, Madrid, 1948).

Closely related to the problems of governmental reform and political rights is the question of nationalism. Julien's work, *L'Afrique du Nord en Marche*, friendly in its attitude toward the nationalists, has already been cited. Less favorable towards the nationalists is F. Taillard's *Le Nationalisme Marocain* (Cerf, Paris, 1947), which details the rise of the nationalist movement, particularly during and after World War II, and seeks a solution to this knotty problem

that would not involve France's removal from Morocco. Professor Robert Montagne has recently added a quite worthwhile book to the literature on nationalism in his *Révolution au Maroc* (France Empire, Paris, 1953), which also concerns itself with the possible alternative courses Morocco may follow. Much of the work is concerned with the sociological background of the rise of nationalism in Morocco. Prewar developments in Moroccan nationalism in the French and Spanish zones is discussed by Francis H. Mellor in *Morocco Awakes* (Methuen, London, 1939), while postwar developments, particularly the role of the now deposed Sultan Mohammed Ben Youssef, is treated by Rom Landau in *The Sultan of Morocco* (Robert Hale, London, 1951). Both books are in the popular vein. A friendly view of Moroccan nationalism and a sharply critical attitude of the French administration in Morocco are voiced by Pierre Parent, a long-time French settler in Morocco, in several little books, two of which, *Causerie sur le Maroc de 1951* (Imprimerie Régionale, Toulouse, 1951), and *La Vérité sur le Maroc 1952* (Imprimerie Régionale, Toulouse, 1953), have been translated into English and published under the titles *Dissertation on Morocco of 1951* and *The Truth About Morocco* by the Moroccan Office of Information and Documentation, the New York office of the Moroccan Independence (*Istiqlal*) party.

The crisis of the past few years has focussed attention on Morocco and has brought forth a number of popular books in English that are mixtures of travel experiences, description, observations on native and French life, evaluations of nationalism and French policy, and a smattering of political analysis. In this category are Rom Landau's *Invitation to Morocco* (Faber, London, 1950) and *Moroccan Journal* (Hale, London, 1952), Ethel Mannin's *Moroccan Mosaic* (Jarrolds, London, 1953), and Bernard Newman's *Morocco Today* (Hale, London, 1953). It is difficult for these writers, or for that matter anyone coming to Morocco, not to take sides, and one may characterize the Landau and Mannin books as pro-nationalist and the Newman book as pro-administration.

Concomitant with the raising of the Moroccan question in the United Nations, there appeared in English several pamphlets on each side of the fence. Reference is made here only to the more substantial of these publications. On the nationalist side, the Moroccan Office in New York published *Morocco under the Protectorate: Forty Years of French Administration* (New York, 1953), a critical analysis of the French regime designed to demonstrate its discriminatory character. On the other side, the French administration published *Morocco Today* (Editions Africaines Perceval, Rabat, 1952) and the Comité France Actuelle published *Morocco: Patterns in Progress* (Washington, 1952). These two publications point up the great progress achieved by Morocco under French tutelage.

The laws, decrees, orders, etc. of French Morocco are published in the *Bulletin Officiel du Maroc*, and the *Boletín Oficial de la Zona de Protectorado Español en Marruecos* is published in the Spanish Zone. The *Bulletin Economique et Sociale du Maroc*, an official publication issued quarterly by the Société d'Études Economiques, Sociales et Statistiques in Rabat, contains many ar-

ticles of lasting value. The Moroccan Service Central des Statistiques annually publishes an *Annuaire Statistique du Maroc* and *La Conjoncture Economique Marocaine*. Several news bulletins are published on Moroccan affairs. In Rabat, the *Bulletin d'Information du Maroc* is published by the French Residency, while the *Moroccan Newsletter* is published in English under semi-official auspices. In New York, the nationalist Moroccan Office of Information and Documentation publishes a monthly, *Free Morocco*.

VII. TUNISIA

Compared to the bibliography lists for Morocco and Algeria, the literature on Tunisia is relatively slim. This may reflect a lack of sufficient interest on the part of scholars and general writers alike in a small country that is overshadowed by bigger neighbors in whom similar problems stand out in bolder relief. Nevertheless, Tunisia possesses a character of its own that distinguishes it from its neighbors and a small body of literature devoted solely to Tunisia has taken shape.

Very few first-class general histories of Tunisia have appeared. A brief summary of Tunisian history is to be found in *Histoire de la Tunisie depuis les Origins jusqu'à nos Jours* (Peyronnet, Paris, 1938). While not an outstanding work, it merits mention because of its general reliability. The Tunisian chapters of Julien's *Histoire de l'Afrique du Nord* supplement the studies devoted entirely to Tunisia. Henri Cambon's *Histoire de la Régence de Tunis* (Berger-Levrault, Paris, 1948) dwells on recent history, particularly developments since 1881, when the country came under French protection. A study of the historical evolution of Tunisia prior to 1881 and of the establishment and working of the protectorate is *L'État Tunisien et le Protectorat Français* (Rosseau, Paris, 1931, 2 vols.), by Élie Fitoussi and Aristide Bénazet. Although this work is dated, it still remains valuable for its analysis of the operations of the protectorate. A valuable study of the central French figure in the establishment of the protectorate in Tunisia is *Jules Ferry: The Renaissance of French Imperialism* (Kings Crown Press, New York, 1944), by Thomas F. Power, Jr. One aspect of Tunisian history during the pre-World War II period, the issue of the Italian interests in Tunisia and Mussolini's sabre-rattling thereover, has produced a substantial literature. Since this literature concerns what is obviously a dead issue today, mention is made here only of Charles Monchicourt's *Les Italiens de Tunisie et l'Accord Laval-Mussolini de 1935* (Sirey, Paris, 1938) and Giuseppe Morpurgo's *Italia, Francia, Tunisia* (Augustea, Rome, 1938).

The following volumes come under the category of general works, designed to give a brief account of the country's people, history, economy, social conditions, and administration: *Initiation à la Tunisie* (Maison-Neuve, Paris, 1950), a collection of essays by various authorities and experts on geography, demography, cultural evolution, administrative structure, economic conditions, etc.; *La Tunisie*, by Pierre Hubac and others (Cahiers Charles de Foucauld, Paris, 1950), another anthology in the more popular vein; J. Klein, *La Tunisie* (Presses Universitaires de France, Paris, 1948), part of the *Que Sais-Je?* series

and a useful, concise volume; and Jean Despois' *La Tunisie* (Larousse, Paris, 1931), an earlier work in the field of human and physical geography. A provocative analysis of the Tunisian scene is *La Tunisie* (Editions Sociales, Paris, 1951), by Paul Sebag. This is a highly informative book, dealing mainly with economic conditions. It is written from the Marxist-Leninist anti-colonialist viewpoint. Another less recent work critical of French economic policy in Tunisia is *La Tunisie Agricole et Rurale et l'Oeuvre de la France* (Librairie Générale de Droit, Paris, 1938).

For political scientists, it is unfortunate that there should hardly be any scholarly works on Tunisian governmental structure and administration. The crisis that Tunisia has been experiencing during the past few years has been largely concerned with the matter of representation in governmental bodies, and the absence of a serious analysis of the protectorate administration is keenly felt. One of the very few works in this area is *Le Protectorat Tunisien* by E. de Bettex (Editions de L'Agence Extérieure, Paris, 1946). This sketchy and elementary work is no substitute for a substantial scholarly work. Another important aspect of the Tunisian crisis, the question of sovereignty and nationality, has been dealt with by Louis Aguesse in *Souveraineté et Nationalité en Tunisie* (Sirey, Paris, 1930), an important treatise, though somewhat out of date.

The crisis in Tunisia brought on by a rising native nationalism and an intransigent French administration is the subject of Jean Rous' *Tunisie-Attention!* (Deux-Rives, Paris, 1952). This is undoubtedly the most significant work on contemporary Tunisia. It gives a detailed account of the nationalist struggle and the various proposals for meeting the situation. One of the most valuable features of *Tunisie-Attention!* is the inclusion of more than one hundred pages of useful documents not readily available elsewhere. An analysis of Tunisian nationalism from its origins to 1952 is contained in "The Tunisian Nationalist Movement: Four Decades of Evolution" by Benjamin Rivlin in the Spring, 1952, issue of *The Middle East Journal*, Vol. 6, pp. 167-93.

The events of 1952 in Tunisia, which prompted the effort to get Security Council action on the Tunisian question, also led the Commission Internationale Contre le Régime Concentrationnaire to investigate the matter and to publish a report, *Livre Blanc sur la Détention Politique en Tunisie* (Brusselles, 1953). As for publications of those directly concerned in the struggle over Tunisian nationalism, the Neo-Destour party has published many pamphlets and tracts in Tunis, Paris, Cairo, and New York, in English as well as in French, of which the following may be noted: *The Problem of Tunisia: Economic Policy of the Protectorate* (Cairo, 1948); *An Account of the Tunisian Question and Its Most Recent Developments* (Tunisian Office for National Liberation, New York, 1952); and *Farhat Hached: Tunisian Labor Leader, Patriot and Martyr* (Tunisian Office for National Liberation, New York, 1953). On the other side, the Comité France Actuelle published *Tunisia: Dangerous Separation* (Editions France Actuelles, Washington, 1952) and the Tunisian Residency published a sta-

tistical brochure, *Soixante-Dix Ans de Protectorat Français en Tunisie* (Tunis, 1952). The laws, decrees, etc. of Tunisia appear in the *Journal Officiel Tunisien*. In addition the office of the Resident-General publishes an informative quarterly, the *Bulletin Economique et Social de la Tunisie*. Statistical data for Tunisia is published since 1947 in the *Bulletin du Service Tunisien des Statistiques*. Previously, from 1940-46, an *Annuaire Statistique de la Tunisie* was published, and prior to that a *Statistique Générale de la Tunisie* appeared annually.

VIII. LIBYA

The description "uneven" applied earlier to the literature on North Africa is particularly true in the case of Libya. Unlike ancient Libya, which was the seat of a thriving and prosperous outpost of Rome, modern Libya is best characterized by the paucity of its physical resources, the weakness of its economy, and the consequent sparseness of its population. Undoubtedly, this helps to explain the uneven quality of the literature on Libya; there has been little in Libya to attract social scientists. This does not mean that the literature on Libya is a complete void. In fact, because Libya has in recent years played a role in world politics—a role far beyond its intrinsic importance in the eyes of many observers—a literature has been built up in relation to this role. Much of the writing has been concerned directly with Libya and world politics, but a good portion of it has also dealt with the country's cultural, social, economic, and political conditions.

As is to be expected, Italian writers have manifested the most interest in Libya and its problems. This interest has continued beyond the settlement after World War II under which Italy lost her overseas colonies. Although Libya is today an independent state, Tripolitania has a large and important Italian minority, and economic ties between Italy and Libya still exist. Of this vast amount of literature published in Italian, only a few items will be included here, chosen either as representative examples of the literature or because of their lasting value.

Italy's venture in Libya as part of Italy's drive to play the role of a world power is described in two useful works in English: Luigi Villari's *The Expansion of Italy* (Faber and Faber, London, 1930), and *Italy's Foreign and Colonial Policy*, by Maxwell H. H. Macartney and Paul Cremóna (Oxford University Press, New York and London, 1938). An historical monograph dealing with the Italian penetration into Libya based on a scholarly examination of the documents relating to the Turco-Italian war is William C. Askew's *Europe and Italy's Acquisition of Libya 1911-1912*, (Duke University Press, Durham, N. C., 1942).

Italy's exploitation of Libya did not actually commence until after World War I and the advent of Fascism. The nearly two decades of Fascist rule made a deep impression on the country. Whereas Fascist policy was often ruthless toward the native population, and generally unconcerned with its problems, it

expended a great amount of capital in introducing modern techniques to the country, the benefit of which has not been dissipated now that Italy no longer rules Libya. A defense of the Italian efforts in Libya is presented by Marshal Rodolfo Graziani in *Pace Romana in Libia* (Padua, 1937) and *Libia Redenta* (Torella, Naples, 1948). Graziani's writings offer an interesting insight into the thinking of the official Fascist leadership towards Libya. The major Italian endeavor in Libya was in the direction of settling Italian peasants on the land. A dispassionate analysis of the program is submitted by the eminent French geographer Jean Despois in his *La Colonisation Italienne en Libye: Problèmes et Méthodes* (Larose, Paris, 1935). A popular treatment of the subject, looking very favorably on the Italian Fascist efforts, is Martin Moore's *Fourth Shore: Italy's Mass Colonization in Libya* (Routledge, London, 1940). Another popular book on Libya is Knud Holmboe's *Desert Encounter* [Translated from the Danish] (G. P. Putnam Sons, New York, 1937), an account of an adventurous journey across Libya in which the author makes some very critical comments about Italy's policy towards the natives of the desert. *Il Regime della Proprietà Fondiaria Nell' Africa Italiana, Vol. I, Libia* (Cappelli, Bologna, 1942), by Massimo Colucci, is one of the Fascist period works that is still significant for its discussion of the relationship between traditional native land practices and the Italian policy of land alienation. An authoritative balanced account of the earlier years of the Italian administration is contained in Adalgiso Ravizza's *La Libia Nel Ordinamento Giuridico* (Pauda, Milan, 1931).

Sociological studies of the native Libyan population have been relatively scarce. Pioneer work was done by Colonel Enrico di Agostini in *La Popolazione della Tripolitania* (2 vols., Tripoli, 1917) and *La Popolazione della Cirenaica* (Bengasi, 1922-23). Much of the work on the Libyan population, however, has been on selected areas or tribes. The outstanding work of this type is E. Evans Pritchard's *The Sanusi of Cyrenaica* (Oxford University Press, New York, 1949). This is a work of high scholarship by an eminent English anthropologist with considerable experience in Africa. It is an extremely valuable aid for understanding the Sanusi brotherhood and its role in modern Libyan history. The significance of understanding the Sanusi order is evident when one realizes that the leader of the brotherhood became the first king of united Libya. Evans-Pritchard's work is restricted largely to Cyrenaica and unfortunately there is no comparable work for Tripolitania. Jean Despois' *Le Djebel Nefousa* (Larose, Paris, 1935) partly fills the gap for some of the Tripolitanian mountain tribes. Despois is also the author of a volume on the third component of the recently created federal state of Libya entitled *Mission Scientifique au Fezzan* (Chevalier, Paris, 1946). This work serves as an excellent introduction for this little known part of Libya. The people of the Fezzan and their customs are also dealt with in *Notes d'Ethnographie et d'Histoire* (Institute des Belles Lettres Arabes, Paris, 1948), by J. Lethielleux.

The education of the native Libyan population under Italian rule is discussed by Roland R. de Marco in *The Italianization of African Natives* (Columbia University Press, New York, 1943). Treating Italian educational policy in

East Africa as well as Libya, this work is based entirely on an examination of documentary material and its value is diminished by the author's lack of first-hand experience in the colonies. Dealing also with the problem of education in Libya, and serving as a fitting contrast to the previously cited work, is the UNESCO Educational Mission *Report on the Mission to Libya* (Paris, 1952). Written by Professor Roger Le Tourneau, a man of considerable experience in North Africa, this report contains an analysis of the development of Libyan education through the years, and of the problems of technical training for industry and agriculture. The report contains a valuable introduction on "Education and the Economic and Social Development of Libya," by Professor Benjamin Higgins of McGill University, who headed the Technical Assistance Mission in Libya.

Le Tourneau's report is one of a number that have appeared in recent years from various United Nations technical assistance missions. Because of Libya's becoming an independent state under the auspices of the United Nations, and because of the special circumstances surrounding United Nations action in this matter, the country's welfare has become an important concern. There have been visits by a number of technical assistance missions. These have resulted in a series of highly informative reports on the basic economic and social structure of the country. The reports have not been revolutionary in their findings but they have confirmed earlier findings and feelings about the country's poverty and the difficulty of making it a viable economic state. John Lindberg's *A General Economic Appraisal of Libya* (U.N. Technical Assistance Administration, New York, 1952 [U.N. Doc. ST/TAA/K/Libya 1]) surveys natural resources, people, and finance and in general terms discusses the economic position of the country and the conditions for its economic development. A later Technical Assistance report, prepared by Professor Higgins, is *The Economic and Social Development of Libya* (Technical Assistance Administration, New York, 1953 [U.N. Doc. ST/TAA/K/Libya 3]). This report is a summary of a more comprehensive one (U.N. Doc. A/AC.32/TA.16 rev. 1, 1 July 1952) bearing the same title, which Professor Higgins prepared with a team of some twenty experts representing FAO, UNESCO, ILO, WHO, and TAA. The program and plans set forth in this report constitute a set of recommendations to the Libyan government, and, according to Higgins, should "bring significant results within two or three decades." Economic problems facing Libya have also been discussed in an official British publication: *Libya: Economic and Commercial Conditions in Libya* (HMSO for the Board of Trade, Overseas Economic Surveys, London, 1952), by H. J. Legg.

Recent political, as well as social and economic, data on Libya is available in the annual reports prepared by the United Nations Commissioner in Libya in 1950 and 1951 (General Assembly: Official Records, 5th Session, Supplement 15, A/1340 and 6th Session, Supplement 17 and 17A, A/1949 and A/1949/Add.1.), and in the annual reports submitted by the British and French administration to the United Nations for 1950 and 1951.

Events leading to the eventual independence of Libya are recorded in Lord

Rennell of Redd, *British Military Administration of Occupied Territories in Africa, 1941-1947* (H.M.S.O., London, 1948), an official account of the British occupation of Tripolitania and Cyrenaica, as well as that of Italian East Africa; C. Groves Haines, "The Problem of the Italian Colonies," *The Middle East Journal*, Vol. 1, pp. 417-31 (Oct., 1947); Benjamin Rivlin "Unity and Nationalism in Libya," *The Middle East Journal*, Vol. 3, pp. 31-44 (Jan. 1949), and *The United Nations and the Italian Colonies* (New York, Carnegie Endowment for International Peace, 1950); the Report of the Four Power Commission of Investigation that visited the Italian Colonies in 1947, of which volume three is devoted to Libya; and Ann Dearden, "Independence for Libya: The Political Problem." *The Middle East Journal*, Vol. 4, pp. 395-409 (Oct., 1950). A recent popular book on the new kingdom of Libya is Nina Epton's *Oasis Kingdom: The Libya Story* (Roy Publishers, New York, 1953).

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BOOK REVIEWS

Civil Liberties and the Vinson Court. BY C. HERMAN PRITCHETT. (Chicago: University of Chicago Press. 1954. Pp. xi, 297. \$5.00.)

This book, like Pritchett's earlier *The Roosevelt Court*, may be divided into two parts. One, a review of Supreme Court civil liberties decisions from 1946 to 1953, is of chief concern to the layman, to whom the book is primarily addressed. The other, a study of the judicial process, is of major interest to political scientists. In addition to its narrower focus, this volume differs from the earlier one in that the study of the judicial process is approached with slightly less emphasis on "box scores" and more emphasis on dissecting judicial opinions and interpreting decisions.

Pritchett's use of statistics is too well known to require description here. Ever since he started to compile the voting records of justices, he has had many imitators and many hostile critics. It is difficult to see why scholars should be critical of his use of "box scores." His studies depart from tradition only in presenting the materials in a more organized fashion than is commonly done. Others who read the opinions of judges and interpret their decisions also must compile scores, albeit in an unsystematic manner. They soon get to know, for example, that Black and Douglas support libertarian values more frequently than do their colleagues. They know that Frankfurter, after explaining why he believes that judges should upset legislation only in rare cases, frequently votes to uphold legislative regulation of speech.

Pritchett's studies, however, in addition to presenting in a more organized manner what most of us learn in an unorganized fashion, also help to identify variables and show relationships which are not always apparent when we are preoccupied with psychological explanations. By isolating the voting records and concentrating on the end product, a clear picture emerges of values supported by the several justices.

Criticism of Pritchett, in my opinion, should not be for using box scores but for not using them enough. By and large he is concerned with the problem of motivation, with trying to chart the mental balancing which goes on within the mind of each justice. (He hypothesizes that the judge's conception of his role as a judge interacts with personal attachment to particular values to produce a decision, recognizing of course that other factors are also involved.) His chief concern is to correlate voting behavior with a judge's explanations of why he voted the way he did in order to arrive at a thumbnail sketch of the judge's mental set.

In an excellent description of the judicial process, Pritchett makes it clear that the judges operate within the political process, that their own motivations are but one variable, that they must make value choices (Frankfurter and Holmes along with the rest), and that the voting behavior of judges can be studied profitably in the same manner as the voting behavior of legislators. Studies of legislative voting behavior, however, normally pay less attention than does Pritchett to "mind-stuff," or to the individual decision-maker's ex-

planations of why he voted the way he did. It is of course desirable to recognize that Black, Douglas, Frankfurter, and Jackson support different values than did McReynolds or Butler. It is also important to determine what these values are and to understand the judge's explanations. But it would also be of importance to try to relate interests supported by the Supreme Court with other variables. For over a decade Pritchett has been compiling judicial voting records and bringing out the blocs within the Court and the interests they have supported. Have the interests supported by the Court varied during the ten years and have these changes been related to other factors within the political scene? In what way? What factors appear to be related to the success or failure of a particular bloc in having its views dominate the Court? Pritchett's technique would be most helpful in the search for answers to these and similar questions.

A second feature of the book is an interestingly written and soundly presented discussion of Supreme Court civil liberties decisions (broadly defined) during the period of Chief Justice Vinson's tenure. The impact of changed world conditions on the kinds of issues brought before the Court and how and on what bases the Court disposed of these issues are all ably explored.

Pritchett makes many astute observations in these chapters as he masterfully places into a coherent pattern the views, motivations, and decisions of the "libertarian activists," "libertarian restrainers," and the "less libertarian" members of the Supreme Court. In the final chapter Pritchett explores the Vinson Court's record and suggests what the Court's role should be. He argues that the "libertarian restrainers," especially Frankfurter, need not constantly apologize for using judicial power since the American democratic system requires judges to strike down laws which interfere with the operation of the process by which political decisions are reached. The reluctance to use judicial power for such purposes, argues Pritchett, is an outgrowth of the pre-1937 period when problems were different, a period during which legislatures were passing laws of which Pritchett apparently approves as contrasted with his attitude toward some laws passed since. The "libertarian activists," on the other hand, are criticized by Pritchett because their single-minded attention to the desirability of preserving the traditional civil liberties leads them at times to think dogmatically and to overlook other values. Pritchett's purpose in this chapter is to inform the layman and to stimulate him into thinking about the role of the judiciary. In this he succeeds, but the chapter would be strengthened by the deletion of a considerable number of statements which, in my judgment, convey little and sometimes confuse the issue. For example, "It [the Supreme Court] should be representative not of our current thought, but of our best thought" (p. 251).

Whether or not one agrees with Pritchett on his value choices, the discussion is moderate and informing. This volume, combined with *The Roosevelt Court*, makes a reliable account of Supreme Court activity in important areas since 1937. The greatest value of these pioneering studies lies, however, in the light they shed on how the judiciary operates. Pritchett is among the few who have

studied the judicial process on the basis of a developed theoretical framework and in a systematic way. For this he deserves highest praise.

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Law and Politics in the World Community: Essays on Hans Kelsen's Pure Theory and Related Problems in International Law. EDITED BY GEORGE A. LIPSKY. (Berkeley: University of California Press. 1953. Pp. xx, 373. \$6.00.)

It is undeniable that there is still much confusion with respect to the nature of international law and its relation to world politics. This collection of seventeen essays, in which a rich variety of viewpoints and interests is represented, both confirms the existence of the confusion and, for the discerning, provides material to dispel it. For some of the contributors Kelsen's "pure theory of law," with its insistence on a "legal science" of norms from which "politics" are purportedly excluded, supplies the inspiration and the point of departure. Others are more interested in understanding the role of law as an instrument of policy, solving concrete problems in world affairs, or exploring empirical data. The results of the various approaches placed in close juxtaposition are instructive.

Noteworthy among the policy-oriented contributions is Professor Covey T. Oliver's devastating analysis of George Kennan's famous lectures. The whole edifice of Kennan's attack on the alleged "legalism" of American foreign policy is taken apart and shown to rest on a grossly inadequate understanding of what law is. The inadequacy of Kennan's concept of law is the more striking in the light of the achievements of American legal thought in recent decades. Perhaps the clue to the confusion mentioned at the beginning of this review is to be sought in the fact that some political scientists and men in public life are not properly aware of the new ideas about law developed in American law schools and courts. Oliver rightly calls for more popular presentations by legal scholars and for a really factual study of the role of "lawmen" in foreign policy. His own view of the meaning of "law"—that it "is coming more and more, in the international field especially, to refer to the whole power process within the political order"—should be compared with Professor Quincy Wright's concept of "law" as a limitation on "politics." This concept is elaborated in an essay which calls for a "balancing" of law and politics in order to permit both stability and progress. The creative potentialities of legal techniques in world affairs are also stressed in Edvard Hambro's comments on the advisory opinion of the International Court of Justice on reparation for injuries suffered in the service of the United Nations.

Professor Eagleton's plea for more use of the law in the United Nations points in the same direction as Oliver's discussion of the role of law in foreign policy and comments on the Anglo-Iranian oil dispute, although it is by no means clear that the two authors share a common understanding of "law." In contrast, Professor Morgenthau, in an excellent but hardly novel analysis of the "Political Limitations of the United Nations," inveighs against "legalism"

and reiterates his familiar thesis on the decisive and ineluctable role of traditional national policies and traditional methods of diplomacy. He fails to explain why, in a rapidly changing world where total disaster has become possible, we are fated to cling to traditional policies and methods. Morgenthau's general position receives able support from Professor Hula's sapient demonstration of political obstacles to the international legal protection of human rights. As usual, the pessimistic conservatives are strong in observation and analysis but weak in imagination and faith.

Among the contributions devoted to more strictly legal topics, Professor Lauterpacht's paper on "Rules of Warfare in an Unlawful War" deserves special mention. He succeeds in establishing a clear and convincing position on this new and increasingly important problem largely because, with some reluctance, he lets common sense triumph over "legal logic." Also outstanding is a masterly essay by Professor Leo Gross on "States as Organs of International Law and the Problem of Autointerpretation." By strict logical analysis Gross charitably but deftly and completely demolishes one of the foundations of Kelsen's theory of international law—his doctrine of sanctions. The logical contradictions inherent in the "pure theory of law" and its efforts to squeeze international law into a definition of law as a "coercive order" also show up in Professor Robert W. Tucker's admittedly strained analysis of the principle of effectiveness. The crippling effects of the Kelsenian preoccupation with the formal "validity" of norms, the straightjacket of conceptualism, and the misguided attempts to isolate law from politics are further evident in Professor Guggenheim's disappointing effort to define and justify positivism (in the Kelsenian sense) in international law; in the otherwise impressive analysis by Professor Verdross of the impact of the United Nations Charter on general international law; and in Professor Heinrich Brandweiner's examination of the international status of Austria. (They are also reflected, in a different way, in Morgenthau's and Hula's deprecation of the usefulness of law.) Somewhat apart stand Professor Scelle's brief reflections on international juridical personality and J. G. Starke's discussion of regionalism as a problem of international law. The editor himself contributes an introduction presenting a highly laudatory view of Kelsen and his work.

There are also a number of papers in which theory is subordinated to the examination of concrete legal and political materials. Professor Nussbaum contributes a very brief but highly informative and revealing account of the forms and observance of treaties in the Middle Ages which has some startling implications for our times. Professor Kunz analyzes intelligently and thoroughly the Geneva Conventions of 1949; and Alwyn V. Freeman deals competently with the political powers of the Council of the Organization of American States.

One closes the volume with the conviction that the variety of meanings attached to the word "law" is so great that it is not practicable to seek a single definition acceptable to all. The way out of the confusion must rather be sought in the realization of the fact that the word means different things to different people. Once this is realized, it will become clear that some of the heated controversies now raging are over words rather than substance. This is

not to deny, of course, that a choice can be made among the various concepts of law on pragmatic grounds.

The excellence of the contents of this valuable symposium, which can be read with much profit by every political scientist, is unfortunately not matched by the quality of editorial work. There is a superabundance of printer's errors and other technical defects, and some of the contributions from abroad are poorly translated. The footnotes are annoyingly relegated to the the end of the volume and there is no index.

OLIVER J. LISSITZYN.

Columbia University.

The Future of Underdeveloped Countries: Political Implications of Development.
By EUGENE STALEY. (New York: Harper and Bros. 1954. Pp. xiv, 410.
\$5.00.)

If the current drive for the development of underdeveloped areas should fail to catch hold and transform the face of the earth, its failure could certainly not be attributed to a lack of literature on the subject. The flood of books, articles, and official documents devoted to it which has appeared in the last few years is not only an impressive tribute to the importance of the problem but also perhaps a confirmation of the notion that the fashions of the moment are as significant determinants of activity in academic circles as in other spheres of life. Among the most recent and most useful contributions to this literature is the present work by Eugene Staley, which is in part a product of the deliberations of a Study Group of the Council on Foreign Relations; and it might be added, to convince any who doubt the availability of other materials, that its "List of Authors and Works Cited" runs to no less than eight closely-printed pages.

As the subtitle indicates, the task which Mr. Staley has set for himself is less the exploration of the economic aspects and intricacies of development, although these are by no means neglected, than its political and social implications, both domestic and international. The two major themes of the book, as the author states them in his Introduction, are that economic development of Asia, Africa, and parts of Europe and the Americas is vital for the survival of the West, very much including the United States, and that such development "while a *necessary* condition, is not a *sufficient* condition to insure the growth in these countries of trends favorable to human well-being and to the better world we should like to see." More particularly, he is insistent that material progress alone is not enough to check the advance of communism which has itself, he suggests, outstripped the non-Communist world in ruthlessly removing obstacles to economic growth, mobilizing investment, and getting an industrial revolution underway in underdeveloped areas within its grasp. In his discussion of the Communist-free world rivalry he lays salutary stress on the peculiar turn of events by which the followers of Marx have come to have ideas as their "most strategic export" while the United States places an undue reliance on the improvement of material conditions.

In the opinion of this reviewer the outstanding strength of this book lies not

in the novelty of its ideas but rather in the breadth of its intellectual horizons and in its balance and restraint. A convinced and well-informed advocate of the necessity for concentration on development, Mr. Staley deceives neither himself nor his readers with any illusions as to the ease with which it can be accomplished or any certainty that we will like the results if it is accomplished. He has no simple panacea or technique to suggest which will set the process he is discussing in motion and make it self-generating, the latter being the true criterion as to whether or not success has been achieved. On the contrary, he returns with regularity to the conception that development is the product of the interaction of a large number of complexly interrelated forces and states of mind and fact. The industrial system, as he sees it, is not a prefabricated piece of machinery which can be picked up and, given adequate amounts of capital and technical assistance, installed in working order in any part of the world, but is intimately bound up with the political and social environment in which it must work. Where the environment is unsuitable, as must be assumed to be the case in preindustrial societies, no significant and sustained advance can be made until the people themselves have come to have the will to develop. That such a will is as yet actually present for large masses of mankind must be open to the gravest question.

In brief, this is a mature and sophisticated book which, if it is perhaps somewhat overoptimistic as to the possibility of achieving the high objectives which Mr. Staley sets as the goal of the development process, serves effectively to place the problem in its proper complex setting. The two major issues which must be faced are, firstly, the question as to the likelihood of its taking place on a large scale in the presently foreseeable future, and, secondly, assuming that it does, what kind of a world it will bring along in its train. Mr. Staley rightly points out that by no means all the countries which have reached a high level of development have combined it with liberal and democratic institutions and outlooks, and it requires barely a glance at the history of the last few decades to become persuaded that peace and development are by no means synonymous terms. In demonstrating that the problems surrounding development are both difficult and hazardous, Mr. Staley has rendered a highly useful service.

RUPERT EMERSON.

University of California (Berkeley).

Cultural Patterns and Technical Change. EDITED BY MARGARET MEAD. (Paris: UNESCO. 1953. Pp. 348. \$1.75.)

International technical assistance programs depend basically upon people for the successful introduction of knowledge and techniques, whether in the fields of education, agriculture, engineering, or public health. The extensive character of these programs today and their central importance to the development of a viable and stable system of international relations give high importance to the work of the individual technical experts. In both the bilateral and multilateral programs, an increasing amount of attention has been given to

the manner of selecting, training, and briefing the experts. Individual United Nations agencies have become acutely aware of the problem as evaluations of programs are undertaken, and the United Nations Technical Assistance Board recently went so far as to have a special study made on the briefing and orientation of experts as part of its responsibilities under the Expanded Technical Assistance Program. In the United States there have been numerous efforts to improve the quality of personnel sent abroad on technical assistance assignments and a great deal of attention has been given to means whereby they can be most effectively trained and oriented.

This UNESCO publication constitutes a major contribution in meeting needs of this kind in both bilateral and multilateral technical assistance programs. It is a handbook for the technical assistance expert whose task it is to help the government and people in cultures foreign to the expert and foreign to the countries from which the technical know-how is sought. It is also intended as an aid to the receiving countries since they, too, need help in seeing their technical problems in the light of the special characteristics of their own cultures.

Prepared by the World Federation of Mental Health and edited by Margaret Mead with the assistance of an outstanding editorial advisory committee, this manual is an introduction to the cultural elements that are affected by, and that also affect, the application of foreign technical knowledge and skills in any country. It includes brief analyses of five cultures (Burma, Greece, the Tiv of Nigeria, Palau, and the Spanish Americans of New Mexico), with special attention to such elements as family, social orientation, individual orientation, economic motivation, religion, community and village organization, time concepts, status of women and children, health, standards of living, government, etc. There is no single outline or uniform manner of treatment for the five cultures but rather an indication in respect to each of the "kind of thing and the kind of activity which may be of value in facilitating the technological change for itself and in preserving the cultural integrity of those among whom the changes are introduced" (p. 13). It is definitely not a handbook or guide in which answers to specific operational questions are to be found.

With these analyses of five cultures as background, a series of studies then follows to illustrate how programs in agriculture, nutrition, maternal and child care, public health, industrialization, and fundamental education are affected by cultural difference. Here, somewhat more specifically than in the studies of cultures, the volume seeks to identify particular difficulties that must be faced and suggests how more successful programs in various parts of the world have dealt with them. A concluding section deals with mental health implications of technological change and with the principles involved in developing mental health during the technical change. A very useful international bibliography is appended.

In terms of the importance of technical assistance in the world today and in terms of the critical role of the expert in these programs, this volume represents an important contribution to the conduct of international relations.

Placed in the hands of headquarters administrators of technical assistance programs, of experts going to "the field," and of administrators in recipient countries, it should introduce greater realism in the programs and help to avoid the many frictions that have occurred from lack of understanding of cultures. The calibre of the editorial staff and of the international advisory committee has assured a work of high quality in an area in which technical knowledge has long been hidden from practitioners and operators by a highly specialized jargon. This volume gives evidence further of the seriousness with which the UNESCO Secretariat has viewed continuing difficulties in the administration of technical assistance programs. (Note in this connection the more recent UNESCO publication, *Social Aspects of Technical Assistance in Operation*, which reports on an international conference held under joint UN-UNESCO auspices in 1953.) It also reflects the concern of member states of UNESCO, which authorized its preparation, that means be found to alleviate some of the tensions arising in non-industrialized countries from the introduction of technology, and to harmonize technological influences with the cultural values of the country.

WALTER H. C. LAVES.

Indiana University.

The Adams Federalists. BY MANNING J. DAUER. (Baltimore: The Johns Hopkins Press. 1953. Pp. xxiii, 381. \$6.00.)

The scope of this study is much broader than its title would suggest. Although its central theme is the relation of John Adams to the Federalist party, the study really constitutes an attempt to explain the factors that contributed to the successful development of self-government in the United States in the period from 1789 to 1803. In approaching this problem the author takes direction from three points of view. The first is that the social scientist must establish the actual social structure of the period with which he is concerned. The second is that the theories and governmental policies of the period must be studied with reference to their relation to population groups distinguished according to their varying economic, religious, and cultural backgrounds. The third viewpoint is that in a political society employing free elections, the elections should be studied to determine whether there are patterns of political behavior.

This is a tremendous task which Professor Dauer set for himself, but within the scope of a single volume he achieves a remarkable degree of success. The study begins with two chapters which describe the basis of the political divisions of the period, followed by two chapters dealing, respectively, with the political and economic theories of John Adams. Although these four chapters cover for the most part familiar material, Professor Dauer has done a fine bit of condensation. Within their compass he has provided the social, economic, and political background (both its real and theoretical components) for the analysis that is to follow. The fifth chapter really begins the story suggested by the title. It treats Adams' relations with the Federalists from 1788 to his election to the presidency in 1796. The remaining chapters (6 through 17) continue the story

through the election of 1800 and set forth the conclusions of the study. It is in this section that the problems comprehended by the author's second and third points of view are treated. Beginning with a careful analysis of the election of 1796 and the patterns of political behavior manifested in it, Professor Dauer proceeds to study the theories and policies of the Adams Administration as they were related both to the various groups within the country and to the position of America in the family of nations. The effect of these theories and policies upon the various groups within the country is then evaluated in terms of the election of 1800. The author thus treats for one of the most critical periods in our history two problems which in one form or another are constants in such a country as ours—first, the problem of compromising group conflicts at the domestic level, and, second, the problem of preserving at the international level the nation's independence and security. The two problems were, of course, inseparable in Adams' time just as they are today, and it is in connection with this parallel that the present volume makes much of its contribution.

A number of the conclusions drawn by the study would seem to be of great significance for the present. The social, political, and economic forces of the period did not stand still to accommodate the dogmas of any political group. In the party conflict of Adams' period victory came to the party which was best able to bring its appeal and its program into line with the realities of the time. A second important conclusion reached in the study is that it is virtually impossible in our system for the President to stand above party strife. His authority rests upon political power reflected in parties, and he must work within this framework. He may, however, and Professor Dauer suggests that this was Adams' major contribution, by pursuing a course of moderation serve the cause of compromise and facilitate such an agreement among the various groups as will be acceptable to the great majority.

The value of this volume is enhanced by the inclusion of appendices which in addition to the text of the Sedition Act of 1789, show congressional districts for the period from 1793-1803, the alignment of parties in 1796, and voting records on key issues for the Fourth, Fifth, Sixth, and Seventh Congresses (with maps showing records for House members). Tables throughout the study, copious documentation, and a lengthy bibliography add further to the value of the book and make it something of a source book for the period.

This is a sound, scholarly piece of work, and only by such studies will the complete story of our political development be told.

FRANK GRACE.

University of Michigan.

The Rise and Decline of Liberalism. By THOMAS P. NEILL. (Milwaukee: The Bruce Publishing Co. 1953. Pp. xi, 321. \$5.50.)

The phenomenon of modern liberalism has attracted the attention of numerous scholars anxious to explain why the liberal triumph of the nineteenth century was transformed into the defeat of the twentieth. In this book the author, a history professor at St. Louis University, skillfully elaborates the

classic Catholic interpretation of liberalism as an unfortunate secular alternative, now spent, to a society properly ordered by Christian principles. The orientation of the study is, quite understandably, European, with the main attention paid to the fortunes of British liberalism.

The bulk of the volume is historical narrative treating the course of liberalism from its emergence as a critique of the *ancien régime* to its disintegration as a creed and movement during the period of World War I. The author has unearthed no new historical findings, but he has related his story well. His evidence is convincing and his analysis is balanced. Despite some curious twists (such as the use of Edmund Burke as a spokesman for nineteenth-century liberalism, and the imputation that Beard's thesis regarding the American Constitution is a "Marxist interpretation"), the author is precise and discriminating in propounding his argument. For example, he accurately delineates the unique character of American liberalism and the historic tension between liberalism and democracy in Britain. Certainly he has presented us with as plausible an interpretation as historical scholarship allows. And even though his writing is occasionally repetitious and somewhat uneven (especially in the last few chapters), his presentation is highly readable. So on the whole this is an eminently worthy study in the history of ideas.

The most significant chapter is the final one, where the author articulates the thesis which animates his narrative of the rise and decline of liberalism. His thesis is that the price of liberalism was too high. As a solvent of the old order liberalism produced some good, but in failing to provide an adequate alternative, it produced much bad. The good was actually derived from the Christian view of man which the liberals borrowed, minus its intellectual foundation of Christian truth. Consequently the liberals made each man his own sovereign and eventually destroyed the associative basis of social life. To protect the masses from exaggerated individualism, the liberal state was compelled, contrary to its spirit, to assume greater and greater responsibility for the lives of its members. The logical end product is the secular totalitarian state.

According to this analysis the tragic flaw of liberalism is the substitution of the "individual" for the Christian idea of social man endowed with moral rights and duties beyond human call. The liberals ignored original sin and accepted the fallacy of the natural harmony of interests. They mistakenly conceived of freedom as the absence of external restraints, of freedom without responsibility. But true liberty, as the Christian knows, is not an end in itself. Liberty is a means directed by a purpose embedded in the moral consensus of society. As the consensus supplied by Christianity disintegrated in modern society, eroded away by the positivist denial of objective moral truth, the new and terrible reintegration of social life in the form of totalitarianism appeared. Incapable of forging a new society to replace the one it destroyed, liberalism lost its force as other creeds and movements came to dominate the scene.

The author's thesis stops short of the plea for reaffirmation of Christian tenets, a usual accompaniment of this Catholic interpretation. Professor Neill simply dissects liberalism as a creed and movement and diagnoses the moral crisis of liberal society. Perhaps in his projected second volume (apparently to

be entitled *Liberalism in Prospect*), which will deal primarily with the American scene, the burden of argument will be a plea to return to the faith of the Mother Church.

This book is useful, then, as an unambiguous statement of the Catholic attitude towards liberalism, and why the Catholic thinker shares this attitude. But this book cannot be dismissed as just another Catholic tract. It is also a penetrating critique of liberal tenets, a critique which lays bare the fatal deficiency of modern liberalism: a theory of value both tenable and compatible with the liberal creed. Anyone concerned with the problems of contemporary social and political thought will therefore find this a rewarding book, and will look forward to the publication of its companion volume.

CURRIN V. SHIELDS.

University of California (Los Angeles).

Plato's Modern Enemies and the Theory of Natural Law. BY JOHN WILD. (Chicago: The University of Chicago Press, 1953. Pp. xi, 259. \$5.50.)

In Defense of Plato. BY RONALD B. LEVINSON. (Cambridge: Harvard University Press. 1953. Pp. xii, 674. \$10.00.)

The world wars in which we are engaged are wars of the spirit, as Nietzsche prophetically styled them. The warfare on the battlefields was preceded, and is accompanied, by the literary warfare of the ideologists against the classic and Christian substance of Western civilization. Of the many phases on the various fronts not the least interesting, though perhaps not the most dangerous, is the bush-war, if the metaphor be allowed, conducted during the last twenty-five years by ideologists in the English-speaking world against Plato. Some of the outstanding encounters were John J. Chapman's *Lucian, Plato and Greek Morals* (1931), Warner Fite's *The Platonic Legend* (1934), R. H. S. Crossman's *Plato Today* (1939), Alban D. Winspear's *The Genesis of Plato's Thought* (1940), and Karl R. Popper's *The Open Society and Its Enemies* (1945; 2nd. ed. 1950).

The reception of this class of literature followed, on the whole, the lines of the schism in Western civilization in general, and its English-speaking subdivision in particular. The so-called liberals (from muddled, through pink, to red) were enthusiastic. The scholars expressed their anger with more or less politeness. As representative I quote a sentence from a lecture by Mure, before the Royal Institute of Philosophy, on occasion of Popper's treatise: "One would say, indeed, that he had flung scholarship to the winds in the pursuit of his thesis, could one be sure that he had had any to fling." My own attitude should be reported, for what it is worth. I read Winspear's treatise at the time of its publication, because I considered it my duty to know what a Marxist ideologist would do to Plato; and I considered my duty done with reading that one sample. I have not seen Crossman's *Plato Today*, because I had read previously one of his other books. Chapman and Fite I have sampled but not read. My intention to follow the same course in the case of Popper was frustrated, because too many students wanted my more detailed criticism of the work.

The adumbrated situation provides the setting for the two books under re-

view. Their authors are philosophers and scholars who ordinarily would not spend their time writing volumes of criticism on ideological literature. None of the enumerated anti-Platonic writings taken singly would have justified their enterprise. But the series forms a pattern; and the cumulative effect of the ideological attack makes itself felt in the wide acceptance of the caricature of Plato as a sort of fascist, or generally totalitarian, thinker. The social effect of acceptance has motivated both Wild and Levinson; and Wild, in particular, mentions the students whose request for information forced him, over the years, to pay closer attention to the ideologists. That social pressure is in itself a significant phenomenon. It is possible only because, on the one hand, our academic institutions are deeply corroded by personnel who furnish resonance for publications of their sect; while, on the other hand, entirely too many talk about the "classical and Judaea-Christian tradition" without shouldering the burden of appropriating it through study of the sources. The two books have importance, therefore, not only as a criticism of the literature in question, but as documents of the intellectual climate. A future historian will read them with interest, especially the fat volume of Levinson, for they reveal what kind of literary production required detailed analysis and refutation because its readers, who presumably were educators and their students, swallowed it hook, line and sinker. The aggregate social effect, thus, has motivated the books. And apparently it was Popper's work that broke the camel's back; for, while the others receive their due share of attention, it is on Popper that both authors bestow most of it.

In their defense of Plato the two authors use in part the same tactics. Wild devotes about one fourth of his book to direct criticism of the above mentioned literature, under chapter headings of "Plato as an Enemy of Freedom and the Open Society" and "Plato as an Enemy of Democracy." Having accomplished his task of demolition as briefly as possible, he proceeds to develop a theory of natural law on the basis of Plato's philosophy, in order to show positively its supreme importance for the rational foundation of social order. This second part of his book far overshadows in importance the first; we can only regret that the occasion will not allow a detailed examination of the author's position. It must be sufficient to say that Wild re-establishes ontology as the basis of a theory of natural law and, therefore, has to go back of the Stoics to Plato and Aristotle in order to find the idea of nature from which could arise the notion of a law of nature. Anybody who is concerned with problems of natural law today will receive help in clarifying his own position from a careful examination of Wild's "Moral Realism." Even the reader who agrees with Wild on principle will feel, however, that his argument would gain in weight, if for its basis it went somewhat further back than Plato. Felix Heinemann's *Nomos und Physis* (Basel, 1945) could be used with profit.

In the first part of his book, with its direct criticism of the anti-Platonic literature, Wild refers on occasion to Levinson's work (which was in progress at the same time as his) for a more detailed elaboration as well as for the philosophical foundation, of his own criticisms. Levinson first states carefully

the nature of "The Attack on Plato" (pp. 3-25), and then proceeds to a detailed examination of the charges against Plato and their refutation. Hence, the main body of the work is organized as a classification of the charges and their subdivisions, such as the attacks on Plato as a literary artist, on his mental and moral stature, on his opinions concerning sex and marriage, on his humanitarianism, on his opinions concerning slavery, barbarians, manual workers, and the common man in general, on his Sicilian politics, his duplicity, his lust for self-aggrandizement and power, and, finally, on his totalitarianism. The text is followed by sixteen appendices (pp. 583-645), in small print with double columns, on charges of a more intricate nature which require a correspondingly more extensive treatment.

By virtue of its size, orderly organization, and thoroughness the work of Levinson becomes a handbook on ideological anti-Platonism. Moreover, since, the refutation of the charges required an elucidation of Plato's own position concerning the various problems, it is a handbook on that part of Plato's work that is involved in the charges. Beyond its primary critical purpose the book is a convenient reference work on Platonic topics which appear frequently in current political debate. The critical work itself is a giant feat of excellent and devoted scholarship. To be sure, the ideological literature in question is an easy target for a scholar who knows his business. But anybody who has ever tried to criticize a piece of work which includes mistranslations, use of passages out of context, distortions through omission or generalization, appeals to prejudices of the reader, inarticulate premises, impertinent *non-sequiturs*, misreading of an author's intentions in the light of Marxism, Freudianism, or Positivism, and so forth, will know that such an "easy target" requires an unusual amount of critical labor. Levinson has performed his task, which often must have been unbearably tedious for him, not only with merciless competence, but with rare good humor and in urbane form. The book can be read with pleasure as a model of critical work; the pleasant form only heightens the effect of the massacre.

Wild and Levinson, and especially the latter, have done a public service. We are in their debt for their performance of a tiresome but necessary task. And they have raised a warning signal for ideologists that the time when they could get away with everything is over. For all that, unstinted praise is deserved. Still, the war is not over; and there are certain drawbacks in the method of both authors which require attention. They both proceed by accepting the charges of the ideologists at their face value and then refuting them by recourse to the Platonic text. That procedure is effective in the forensic sense, because the vast majority of the charges are made with such preposterous incompetence that confrontation with reality by a competent scholar is devastating. Moreover, it is the only procedure possible in the analysis of detail. Nevertheless, it should be supplemented by a questioning of the charges, not with regard to their contents, but with regard to their premises. Unless that is done, quite possibly the essential points of both the ideological and the philosophical positions will be missed. If, for instance, the charge that Plato is an enemy of the

open society (in Popper's sense of the word) is examined and effectively refuted, as is done by both Wild and Levinson, and if nothing more is said about the matter, then the critic has made the fateful admission that the "open society" is an issue at all and that it would be a bad thing if Plato were found guilty of being its enemy. The detailed examination, therefore, should be followed (or preceded) by an explanation of why the question as such is nonsensical. Plato was not a democrat or fascist, not a totalitarian or humanitarian, not a friend or an enemy of the open society, for the good reason that he was a philosopher and not a political ideologist. Hence, one can save the reputation of Plato forensically by refuting the charges on this or that count, and still destroy the work of Plato by admitting the question at all. Neither Wild nor Levinson, let us hasten to say, are guilty of such betrayal. They both are aware of the problem and mention it. Nevertheless, one would have wished to see it more in focus and given the space which it deserves.

The restraint which both authors show in this respect is all the more surprising because their main target, Popper's *Open Society and Its Enemies*, would have offered them the best possible occasion for penetrating to the center of the evil. For the concepts of the closed and open society, which have achieved a certain notoriety through Popper, were drawn by him from Bergson and perverted practically into the opposite of the meaning which they have in the *Deux Sources de la Morale et de la Religion*. In Bergson's conception, the archaic society is closed by the authority of its myth; it opens when individuals appear, the prophets, mystics, and philosophers, who open their soul to transcendental reality and establish the possibility of existence in spiritual community, under this higher authority, in opposition to the closed society. And one of the great figures in this liberating opening of society was Plato. Popper's misinterpretation of the concepts of a great philosopher seems to have escaped both Wild and Levinson. It could have been put to good use in the detailed refutation of charges against Plato. And, more important, it would have shown, in a model case, the root of the evil, that is, the hatred of the ideologist for the authority of the spirit.

ERIC VOEGELIN.

Louisiana State University.

Introduction to French Local Government. By BRIAN CHAPMAN. (London: George Allen & Unwin, Ltd. 1953. Pp. 238. 18 s.)

This volume comes close to being a model monograph in the field of comparative politics. The author, Lecturer in Government at the University of Manchester, not only gives a painstaking and accurate picture of the structure and workings of French local government, but also draws frequent and extremely careful comparisons with corresponding institutions in Great Britain. The minutiae of his report on the French scene are enlivened by quickly told but revealing instances conveying the atmosphere of life and politics in villages and towns. More than one learned footnote fills the reader with the delight ordinarily transmitted only by a *Clochemerle*-like novel or by the sequences of a French film.

A wide range of research materials as well as informed close-range observation lead the author to a number of important conclusions which sometimes run counter to timeworn clichés. Usually French government is characterized quite simply as centralized. Now, since all French communes are subject to the *corps préfectoral*, local government is indeed centralized, if centralization means the subordination of local decisions to the agreement of state officials. But the picture is altered a great deal by the fact that here the state officials deciding on local matters are members of the departmental prefectures or even sub-prefectures, not of the ministry in Paris. Hence they are aware of local difficulties, easily approachable, and fully informed. At least under ordinary circumstances ministerial circulars leave much to prefectural discretion.

Although such important services as education and police are all but removed from local control in France, the author observes, on the whole correctly, that there is more interest and more vitality in French local government than in its British counterparts. To a considerable extent this can be explained by the smallness of most French communes (in 1946 almost two-thirds of them had under 500 inhabitants). But one of the most fundamental causes of the vitality is probably the personal element palpable throughout the local government system. The concentration of authority in the hands of the French mayor and the fact that a local political career is commonly regarded as the proper and natural step to a national career tend highly to personalize the processes of local government. (It is true that these phenomena, healthy at the bottom, have unfortunate results on the apex of political life: in parliament local issues are given far too much weight especially for the limited resources of an insufficiently expanding economy. Since local influences often favor claims of seniority, it is extremely difficult to renovate political leadership, as the restoration of the cadres of the Third Republic, fairly soon after the establishment of the Fourth, has clearly shown.)

The author gives a carefully balanced account of what is efficient and what is not in the processes of French local government. Among the factors which hinder the, in many respects, prompt, smooth, and predictable dispatch of business, he cites the present system of local finance and the frequent illicit interference at higher levels, especially by deputies and senators.

For those interested in the growth of administrative law and in the possible protection of the citizen from administrative abuse by local authorities, the author's excellent chapters on the tutelage of local government and on the administrative courts will prove particularly rewarding. His analysis of the complicated machinery and of the functioning of the *Conseil d'Etat* is masterful, and it is only to be regretted that the author was not able to consult the recently published jubilee volume on the supreme administrative court. The conclusions reached appear extremely sound. In judicial control of administrative acts the French remedies are as effective as the British, more clearly defined, more easily invoked, and less expensive. Yet the French administrative courts are not as successful as the British in fearlessly denouncing attempts to infringe on the freedom of the individual. To explain such differences fully it would

have taken deeper-probing investigations than the author is able to include in the compass of his study, modestly called an "Introduction."

The value of his work would have been enhanced, if Mr. Chapman had found it possible to consider the problems besetting local government against the broader political issues of various periods. It would, for instance, be most interesting to see the law of 1884, the basis of all communal government in France, interpreted as part of the large legislative reform movement of that era. The author's pertinent statement that a number of reforms which recommend themselves in our times cannot be carried out because they smack too much of experiments tried during the Pétain regime, would be made more significant by a general consideration of the extent to which Vichy used and abused ideas and men—to the great detriment of present-day France.

But then not everything could be discussed in such an admirably succinct volume as the author has given us.

HENRY W. EHLMANN.

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The Constitution of the United States of America: Analysis and Interpretation; Annotations of Cases Decided by the Supreme Court of the United States to June 30, 1952. BY THE LEGISLATIVE REFERENCE SERVICE, LIBRARY OF CONGRESS. EDWARD S. CORWIN, EDITOR. (Washington: Government Printing Office. 1953. Pp. xxiv, 1361. \$6.25.)

Senator Wiley's preface quite properly characterizes this monumental work as "a map, so to speak, of the great historical landmarks of constitutional jurisprudence." It clearly is the best map yet published, and is the book bargain of the year. In general, the volume follows the pattern set by W. C. Gilbert in the 1938 edition. The annotations have been made with care, and testify to the fact that we have come to view our Constitution almost exclusively through the case law. A table listing over 4,000 cases involving questions of constitutional interpretation, detailed tables of contents preceding each Article and each Amendment, and a subject-matter index give ready access to the body of the work. Frequent cross references also are helpful, but even more should have been given.

Commercial publishers, apparently in an effort to drain every drop of value from judicial opinions, have almost completely abandoned any effort to distinguish between even the purest *obiter* and remarks having at least some bearing upon the outcome of the case. Professor Corwin and his staff, which included Robert J. Harris, have avoided all pretence of such delusive completeness, and as a result cases generally are cited only for points for which they constitute real authority. Many of the annotations approximate essays upon the subject at hand. Those concerning naturalization, the contract clause, executive agreements, the interpretation of state law by federal courts, the expansion of the writ of habeas corpus, the right to counsel in state courts, and the admissibility of forced confessions are especially good.

This is not to say that the work is perfect. My students have found the references to *Houston v. Moore*, 5 Wheat 1 (1820), very misleading, and at no

point do the editors bring out the fact that this case clearly sustained the trial of a federal crime in a state tribunal and rejected the now accepted rule that overlapping state and national criminal laws may coexist. In the section on bankruptcy, no mention is made of *Faitoute Iron & Steel Co. v. City of Ashbury Park*, 316 U.S. 502 (1942), which certainly has weakened *Sturges v. Crowninshield*, 4 Wheat. 122 (1819). *Indian Motorcycle Co. v. United States*, 283 U.S. 570 (1931), is not (as stated on page 106) the only case "since the turn of the century" in which "the national taxing power has been further narrowed in the name of Dual Federalism"—see *Burnett v. Coronado Oil Co.* 285 U.S. 393 (1932). And of course the Constitution did not "deprive the States of all admiralty jurisdiction and vest it exclusively in the federal courts," as stated on page 572. That, as we are correctly told seven pages later, was accomplished by statute. There are other defects of similar nature, but they are found so much less frequently than in any other treatise of comparable scope that one must marvel at the care with which this volume has been edited.

Now that the Court follows tests of "reasonableness" in virtually all fields of constitutional law, even those where absolutes once prevailed, *e.g.*, the contract clause, there certainly is no reason to expect any decrease in the flow of precedents. The time soon may come when we will not be able to afford the luxury of new editions of such works as this at fairly short intervals, but will be held to supplemental volumes instead. With this in mind, the Legislative Reference Service might be well advised to keep careful notes as it makes use of this edition, looking toward the publication of a supplement. With such a supplement, it could continue to serve as an excellent basic volume until such time as a completely new revision becomes imperative.

J. A. C. GRANT.

University of California (Los Angeles).

American State Legislatures: Report of the Committee on American Legislatures, American Political Science Association. EDITED BY BELLE ZELLER. (New York: Thomas Y. Crowell Co. 1954. Pp. ix, 294. \$3.50.)

This book reports the findings, conclusions, and proposals for action of twelve people who constituted the Association's Committee on American Legislatures. Two of the members have long been directors of research for state legislative councils. One is an official of the Legislative Reference Service of the Library of Congress. Still another for many years has occupied positions in a state capitol which permit close observation of a legislature at work. The other eight members of the Committee are in academic life and have written about legislatures and lawmaking. No doubt we may safely presume that what these twelve persons thought most important to say about American state legislatures is essentially what American political scientists generally believe ought to be said on that subject.

The Committee lists in six numbered statements the objectives toward which it has been working and which it hopes this book will help to achieve. The six boil down to three: (1) to collect a body of factual data which will support recommendations for reorganization or reform of state legislatures; (2) to cause

other persons and organizations to stir up interest in and encourage reform; and (3) to stimulate "broader research" relating to legislatures and the legislative process. The role of this book in this broad program seems to me to be the following: (1) it arrays familiar and newly collected information about state legislatures; (2) it indicates what the Committee likes and does not like about state legislatures and therefore may be said to identify problems; and (3) it makes recommendations for change in organization, procedures, and behavior.

The principal addition to our previous stock of facts about state legislatures is presented in a chapter of 25 pages entitled "Party Organization and Control." This is a summarization of the returns on a questionnaire which went to "two or more competent persons in each state." "At least one reply was received from each of the forty-eight states—in most cases two or three" (p. 192). Tables show the distribution of party affiliations in recent sessions of each state legislature; show how committee members are chosen and how often committees meet; and evaluate the strength of party loyalty and the effectiveness of the agencies or instruments of parties in the several states. What appears in the tables is, of course, extended by many statements of fact in the text. There are also, scattered throughout the book, many facts that I was not familiar with about training and orientation of new members of legislatures, retirement benefits for legislators, limitations on debate and rules of procedure in legislatures, physical format of legislator's handbooks, facilities for and practices in bill drafting, availability of office space for legislators, and registration of lobbyists. I have not been diligent in my reading on these subjects and do not know how much of the information which appears in this book has previously appeared in professional journals and reference books like *The Book of the States*.

Far more prominent in this book than arrays of factual information are recommendations for action which the Committee thinks will elevate the quality of our legislators, assure better relations between the legislature and other parts of our state governments, and improve the product of the lawmaking process. The numbered sentences and paragraphs which appear under the heading "Recommendations" add up to an even 50. Here and there in the text are additional specific recommendations for change, and many a sentence that purports to indicate what exists or occurs is heavily weighted with implication that something else would be better. If this book comes to have an honored place in our literature I am sure it will be because people like the reforms which are proposed and not because people think the Committee's research efforts were noteworthy.

The Committee did not bring together in summary statement either its judgment as to what would be a near-ideal lawmaking body for an American state or its views as to what are the most praiseworthy features and main inadequacies of the legislatures we now have. I am unable to construct such a statement on either point by assembling the unequivocal statements which appear at various places in the book. The best I can do for the reader of this review is

to provide some summary statements of my own which attempt to indicate main preoccupations of the Committee, the beliefs of Committee members about necessary relationships among parts of a complex whole, and the convictions of Committee members as to what the American people would like or what is good for them.

1. The Committee appears to believe that the main features of legislative organization which are best for one state will be best for all of them. There is no outright assertion to this effect in the book, but it seems to me to be the clear implication of the whole book. Neither descriptive statement nor evaluative commentary brings together the significances for legislative structure of differences in total state population or density of population; of differences in urban-rural distribution of population or differences in concentration of urban population in one, two, or more than two great cities; of differences in party structure which differentiate two states like one-party Alabama and two-party Indiana. The nearest the Committee comes to an admission that the basic features of legislative structure ought to respond to the conditions of life in a state is the assertion (p. 78) that "The larger and more populous states seem to require more legislation and thus more time from the legislator."

2. Although the main concern of the Committee was with reconstruction or reform and the implication of its book is that there is a near-ideal legislative structure applicable to all states, it does not supply the reader with the parts which would enable him to construct a conclusion as to what the Committee thinks would be near-ideal. I cannot tell whether the Committee thinks that allstate legislatures (or for that matter any of them) ought to be about as near a fulltime lawmaking group as Congress is, or as the New York State legislature is, or as the Arkansas legislature is. The Committee was not even able to make up its mind whether all states ought to have unicameral bodies or whether some may be conscience-clear if they retain the bicameral form. (See pp. 58-60 for its ambivalence on this point.) It does say firmly that legislatures need not be as large as they are in most states; that a unicameral body and the lower house of a bicameral legislature ought not have fewer than forty members; that in bicameral legislatures the desirable ratio of members is one in the senate to three in the lower house; and that legislative councils should be improved in some states that have them and established in all states that do not have them.

3. The Committee indulges in positive assertions of highest significance if true, without supplying any support in evidence, in reasoning from generally accepted beliefs, or in presentation of grounds for personal preference. Illustrative: "Lower houses are usually more democratically constituted; yet because of their larger size they can be more easily controlled by frequently conservative legislative oligarchies, and because of the smaller constituencies of their members can be more readily dominated by localism, which often makes them resistant to the broader needs of the state as a whole" (p. 50). "... there is little correlation between high salaries and superior laws" (p. 78). "Limiting sessions intensifies all evils associated with legislative halls" (p. 93). "The

tendency everywhere is for the debates on the floors of both houses of the state legislature to decline in importance, and for the real consideration of proposed legislation to be given by the committees" (p. 95).

4. The book is highly uneven in its treatment of evidence and reasoning for and against its recommendations. Probably it did the best job of balancing pros and cons on the question of unicameralism vs. bicameralism. On some points where the Committee thinks the state legislatures ought to do something that Congress is doing, the fact that Congress does it is presented as evidence that the state legislatures ought to do it; but on points where Congress is doing exactly what the Committee thinks state legislatures ought not to do, the misdeeds of Congress are not mentioned. The Committee asserts that local government units have "not proved satisfactory" as bases for construction of legislative districts and recommends that they be disregarded in laying out districts "insofar as is consistent with efficient election administration" (p. 46). There is no mention of the relation that party organization which is fitted to local government units bears to the ability of voters to learn about candidates for legislative posts and to get together in the effort to nominate or elect one candidate and defeat another. While the entire discussion of district making and assignment of representatives appears to be based on the presumption that the ratio of population to seats in the legislature ought to be uniform throughout the state, there is no mention of the likelihood that 50 legislators from the great city may be members of a common tightly-knit party organization and cast their votes in keeping with a common agreement or instruction, and so have a collective power quite out of proportion to the power of any other 50 legislators who speak for people living in smaller cities, towns, and rural areas.

5. Finally, the Committee does not supply guides for further inquiry. There are admissions of inadequate knowledge and pointings to needed research. But there are no precise formulations of problems that need to be explored, coupled with thoughtful comment about the setting of the problems in a bigger complex of which they are a part. This is not to say that this first report of the Committee will spur no one to careful and imaginative research on matters relating to state legislatures and their behavior. The Committee states that "The fundamental basis of all legislative improvement in the United States, both national and state, is no doubt a root-and-branch reform in our system of party politics with a view to creating more responsible party government" (p. 213). On page 88 it makes the positive recommendation that elections for members of state legislatures "should not be scheduled in presidential election years, or years when the mayors of large cities are elected." Who can fail to see the joinder of these two statements as a challenge for research?

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Modern China's Foreign Policy. BY WERNER LEVI. (Minneapolis: University of Minnesota Press. 1953. Pp. 399. \$5.50.)

Werner Levi has trod where angels fear to. His objective has been to analyze

and interpret in 350 pages the nature of Chinese foreign policy over the eventful eleven decades since 1842, emphasizing the significant trends and causative factors, both internal and external. The Chinese response to the situations which have confronted them constitutes the focus of the analysis.

Beginning with a study of the inadequacy of the old Confucian order when confronted with the imperious Westerner, the author traces the development of the strategy of playing off the Western powers—and later also Japan—against each other, and the interplay between the movement for internal reform and foreign relations. He finds that Chinese policy favored the maintenance of China's territorial integrity, and that the development of Chinese nationalism was a response to the need for unity against repeated foreign encroachments. The relation between the Revolution of 1911 and foreign loans, and the diplomatic failures and successes of the T'uchun and Kuomintang periods are analyzed, and reference is made to the inability of Sun Yat-sen to obtain support from the West before he turned to the Soviet Union and the Communists for assistance.

The tragic events of the fifteen years 1937–1952 receive closer attention in the last third of the book. In evaluating the reasons for the fall of the Kuomintang on the mainland, Professor Levi draws a sharp distinction between the political debate in the United States and the historical record. In his judgment the blame rests primarily on the weaknesses of the Chiang Kai-shek regime and the difficulties inherent in the situation as a result of a long war and other internal factors, rather than upon the role played by the United States. The final chapters are devoted to an incisive summary of the theory and practice of Chinese Communist foreign policy. From such sources as *Soviet Press Translations* and *Survey of China Mainland Press*, material is gathered to trace the bases for the hate campaign against the United States (the source of all evil), relations with the Soviet Union (likely to remain very close for some time despite potentialities for friction), and Communist China's expansionist ambitions in Asia.

Professor Levi explains his failure to use Chinese language sources as "an omission that might justly be considered inexcusable if the purpose of the book were not analytical rather than descriptive." Although the value of his work might have been enhanced by the use of these sources, the wealth of materials in Western languages, extensively referred to in his notes, is probably sufficient for his purpose.

The difficulties confronting the author were not only those inherent in interpretation but also those of selection and emphasis. The omission of descriptive material and adequate maps may make possible a focus on analysis, but, by its assumption of considerable prior knowledge, it limits the usefulness of the book for the beginner. On the other hand, the scholar may complain that he remains uncertain as to the bases from which some of the inferences are drawn, and may at points question whether the descriptive data will adequately support some of the generalizations made. Was, for example, the reform edict of September 1, 1906 an attempt by the Manchu government to foster a modern nationalism (p. 92), or was it really based on a revival of Confucian principles? Again,

what is meant by the generalization (p. 146) that the intellectuals as represented in the Kuomintang "were little superior to the war lords?"

It is certainly true that the inclusion of the descriptive material would have resulted in an unwieldy volume several times the length of this one. At the same time the virtue of brevity may be pushed to the point of sacrificing thoroughness. Professor Levi refers often to the relation of foreign policy to internal situations, but too frequently the underlying strategic, economic, and cultural factors and their effects on foreign relations are not carefully analyzed. A more thorough analysis would also require greater consideration of alternatives confronting policy makers. Finally, such vital matters as the Revolution of 1911, relations among the Soviet Union, the Chinese Communists, and the Kuomintang in the 1920's, American policy toward China during the Second World War, the Yalta agreements and the power vacuum after the war, all receive such hasty treatment that the author runs the danger of leaving his reader with erroneous impressions.

It follows that the results of Professor Levi's efforts are mixed. On the one hand, his book seems superficial and suggestive, rather than definitive. On the other, it contains some valuable insights. Viewed as a statement of one man's intelligent opinion about the nature of some very important events, the work is stimulating and provocative. The difficulties he encountered should not serve to discourage further analytical studies toward the same objectives.

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War Labor Boards in the Field. BY ALLAN R. RICHARDS. (Chapel Hill: The University of North Carolina Press. 1953. Pp. vii, 281. \$1.25.)

When an agency of the federal government establishes field offices in various parts of the United States, what planning and forethought go into the decision to decentralize, and into the process of decentralization itself? What answers will be found to questions concerning the use of other agencies already in the field, the geographical jurisdiction of each field office, the problems of staffing the field offices, the extent of authority to be delegated, the fixing of guides and criteria for the exercise of delegated authority? How can the necessity for unified direction and policy determination be reconciled with the necessity for variations to meet local requirements, and industrial, geographical, and cultural differences prevailing in diverse sections of the country? How can authority and discretion be delegated, yet their exercise by field offices be effectively coordinated, supervised, and controlled? Shall responsibility be channeled through the regional director to the national office, or shall it be along functional lines with each functional division or bureau in the field responsible to its counterpart in the national office? Can dual or multiple and divided supervision be effective? Can technical and administrative supervision and responsibility be separated?

These and many other questions of administrative policy demand consideration before field offices are established, and should be resolved by careful thought and planning in the home office before regional directors are given

responsibility for local administration of federal law. Allan R. Richards' study of war labor boards in the field reveals the attempts of one agency, the National War Labor Board, to meet these problems. The results of his study make it abundantly clear that too many of these questions were not only not resolved prior to the establishment of regional war labor board offices in 1942, but were never fully and carefully thought out and resolved by the time the Board—and its successor, the National Wage Stabilization Board—ceased to exist in 1947.

Perhaps it is too much to expect that an agency suddenly charged with the tremendous responsibilities of a national wage stabilization program plus the settlement of labor disputes in the hectic environment of a wartime economy should find the time for planning and thought, especially during its formative period. Those associated with the Board will quickly recall the pressure for action and reduction of "backlogs" which left little time for contemplation and theoretical analysis of administrative procedures. Yet, as the author points out, while the speed of war made planning more difficult, it at the same time made it more important. In this instance the difficulties of planning were not overcome. "If the National War Labor Board's program holds any administrative lesson," concludes the author, "it is that an agency considering decentralization must necessarily do a thorough job of substantive and procedural planning before decentralizing. In this regard the National War Labor Board failed miserably."

Here is a valuable case study of the administrative process in one wartime agency. Through the whole study runs a theme of confusion and frustration in regional offices originating in the failure of the national office to plan sufficiently for decentralization, to provide adequate guides and criteria for field decisions, and to clarify lines of authority and responsibility between national and regional offices. It is a case study which should be read by every administrator responsible for the direction of the work of field offices, for the War Labor Board was not unique in its "miserable failure." Similar shortcomings can be credited to older, peacetime agencies which have the time and opportunity to profit by the experiences of the War Labor Board so clearly scrutinized and exposed in this book.

Utilizing War Labor Board material now in the National Archives, interviews with former Board employees, and his own experience in one of the regional offices, and drawing on a strong background of public administration theory, the author has produced a worthwhile addition to the literature on a very important area of public administration, long neglected by scholars, known as field administration. The author emphasizes its importance by pointing out, as did the Hoover Commission, that "approximately ninety per cent of all federal employees" work in the field. The neglect is underlined by the comment that fewer than ten case studies of field problems are available, while the "literature on top level administration outnumbers the literature on field administration by at least twenty to one."

BYRON R. ABERNETHY.

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BOOK NOTES AND BIBLIOGRAPHY

AMERICAN GOVERNMENT AND POLITICS

The American President. BY SIDNEY HYMAN.
(New York: Harper & Bros. 1954. Pp. 342.
\$4.00.)

The evolution of the presidential office is one of the spectacular developments in American political history. The contrast of the undernourished years of General Washington's tenure and the luxuriance of the present office is sufficient to challenge the attention of scholars. In recent years there has appeared a veritable deluge of scholarly works upon different phases of this subject. This growth in the executive office features two distinct developments—administration and political leadership.

Most of our recent studies relate to some aspect of the administrative facet, from painstaking investigations of specific periods, like those of Leonard White on the earliest administrations, to those on the interrelations between legislative and administrative functions, such as that of Charles Hyneman.

Though scholars like Pendleton Herring have made memorable contributions, the growth of the president's political leadership has received much less attention. The subject is intriguing. A president may simultaneously be the recognized leader of a minority faction of his party, and of the whole people, depending upon the issues which are immediately involved. Crisis on the domestic and international fronts, with the resultant decline in partisanship, prepares the fallow for the emergence of the president as the representative of the whole people. Of recent presidents, Woodrow Wilson, Franklin D. Roosevelt, Harry Truman, and Dwight Eisenhower have unquestionably filled that role.

The present study by Sidney Hyman relates essentially to the political aspects of the presidential office. The author is interested in the types of individuals who are chosen by the American electorate and in the views which they have held concerning the scope of presidential powers. With the former, Mr. Hyman is quite successful. His analysis of "The President as an Artist" (Ch. 4) is like a breath of fresh air. He understands the problems of institutionalized political leadership. And he is quite familiar with the difficulties of a president in the patronage "rat race." He writes

like a journalist, with verve and a scintillating style. But there are many lacunae in his knowledge of the personal qualities of those who have filled the presidential office. He knows Jefferson, Jackson, Lincoln, the two Roosevelts, and Truman quite well. But his conversance with, or perhaps his interest in, several of the less famous presidents is not apparent.

Though the author's approach is novel, and his treatment equally unconventional, many of his views represent a distinct contribution to the subject. For instance, he insists that our traditional classification of presidents as strong or weak, on the basis of their utilization of powers constitutionally delegated to one or the other departments of government, is unrealistic and not quite accurate historically (p. 66). All regarded themselves as constitutional officers. They were primarily strong or weak in relation to their ability to manipulate public opinion. The author is likewise cognizant of the preponderant power of the agrarian population in the nomination and election process; nevertheless he is a fairly effective defender of the present system, rather than of proposals for a nationwide presidential primary and the abolition of the electoral college. In all, the study is quite satisfactory and is a welcome addition to the literature on the presidential office.—CORTEZ A. M. EWING, *University of Oklahoma*.

Hidden Threads of History: Wilson through Roosevelt. BY LOUIS B. WEHLE. WITH AN INTRODUCTION BY ALLAN NEVINS. (New York: Macmillan Company. 1953. Pp. xix, 300. \$4.00.)

The hidden threads of history here presented are the personal experiences and observations of a man who performed many public services and had constant close personal contacts with people who were themselves high in public affairs from Wilson through Roosevelt and on into the period of postwar reconstruction. In fact some of the more significant personal relationships which Mr. Wehle here reveals began somewhat earlier. He was in college with FDR, for example, and a friendship developed between the two men which was continued by correspondence and conferences until the Spring of 1944 when, on his own initiative, he

conferred with the President concerning a successor to Vice President Wallace. Consequently, the part played by Mr. Wehle in Roosevelt's career and his analyses of the man are his most important contributions. His description of the TVA power struggle would probably come next.

Mr. Wehle believes that "obscure random occurrences have sometimes made history" and that lives of nations and of men often turn on narrow margins. Thus he undertakes here to reveal the "obscure occurrences" and "narrow margins" in which he may have played some part and to which he may have made some contribution. Naturally, not all of his efforts changed the course of history.

The Democrats did not go along with his suggestion in 1920 of a Hoover-Roosevelt slate for the national ticket. Some of the party leaders seemed sufficiently responsive to the recommendation but Mr. Hoover was something of a problem. He wasn't sure whether he was a Republican or a Democrat. The best he could do was to classify himself as a progressive with a small "p." Nor was Mr. Wehle successful in 1944 in persuading Mr. Roosevelt to accept James Byrnes as his running mate. The President agreed as to Byrnes' fitness but regarded him as unavailable on religious grounds—a former Roman Catholic who had become an Episcopalian as the result of marriage to a member of that faith. Mr. Wehle wanted someone from the deep South "to offset the enraging effect in the South of Mrs. Roosevelt's personal crusade for racial equality." He thought it unnecessary to mention this point to the President but he did indicate his firm conviction that Henry Wallace, whom he regarded as "superficial," "impulsive" and "immature," should not be renominated. He does not take credit, however, for blocking the renomination of Wallace nor for the nomination of Mr. Truman.

Those who wish a better understanding of the last three or four decades will discover in this carefully written account many interesting and informative sidelights. The author's observations of men and events are thoughtful and objective. Even his admiration for Roosevelt and the Roosevelt record is counterbalanced by serious qualifications. There were "gigantic blunders," he says, and many failures. He believes the President's "overconfidence in his superficial judgments, his shortsighted motives of party expediency, and his zest for the game of personal power," too often "led to a definitely second-rate state-

craft." However, in preparing his own balance of accounts on this period he reaches the conclusion that the historian who undertakes to prepare a final balance sheet may find himself "as greatly overworked as was Roosevelt himself."—E. ALLEN HELMS, *The Ohio State University*.

Race, Jobs, and Politics: The Story of FEPC.

By LOUIS RUCHAMES (New York: Columbia University Press. 1953. Pp. x, 255. \$3.75.)

Governmental action against discrimination in employment can be based, theoretically, on three different approaches: an educational program leading to voluntary cooperation; an educational program for long-range results coupled with a regulatory program with sanctions available for immediate gains; and finally, a regulatory program alone. Insofar as I know, the third approach has never been suggested. However, both of the first two methods have been tried, and the results obtained from the national FEPC and the eleven state and twenty-eight city FEPC's seem to indicate that under certain conditions the educational, voluntary approach has been of little value, but that the educational program coupled with the use of sanctions when they were necessary has had some success. Professor Ruchames' book tells the story of the use of the first method by the two Fair Employment Practice Committees created by executive order during World War II. He begins by tracing the forces that led to the issuance of the first order (there were ultimately three), and then examines the Committees in action. Because of the lack of funds, the first FEPC did not investigate individual charges of discrimination, but devoted its energies to holding public hearings throughout the country in an effort to educate the public as to the government's anti-discrimination policy. With the establishment of fifteen field offices, the second FEPC shifted its emphasis and did attempt to resolve individual complaints—with some notable successes and failures.

Much space is devoted to a discussion of FEPC's friends and enemies. Management groups and the AF of L were generally antagonistic, while the CIO was usually cooperative. Other government agencies were sometimes friendly and sometimes antagonistic. USES offices in the North were generally cooperative, while those in the South often assisted employers wishing to discriminate. The War Shipping Administration, the Maritime Commission, and the War Manpower Com-

mission oftentimes did not seem to believe that the war could be won and discrimination be reduced at the same time. Relations with Congress were never good, with the friends of FEPC refusing to come to the aid of the Committee when their colleagues voted inadequate funds, accused the Committee of being communistic, and used arguments which were blatantly false. Indeed, the purpose of the Smith Committee hearings in 1944 seemed to be to discredit the Committee and to provide a forum and lend support to a particularly difficult respondent.

One chapter is devoted to FEPC progeny, both state and local. Inasmuch as these state and local FEPC's are the only ones in existence at this time, I should have preferred a fuller treatment of the subject. In one of the most interesting chapters, the author raises questions about FEPC and private enterprise, FEPC and the South, and FEPC and industrial strife. Here, again, a fuller discussion would have been welcome.

Much of the author's material has been reported elsewhere, but what is presented is well written (although somewhat repetitive) and should be useful for students. The book as a whole, and the chapter dealing with "The Committee in Structure and Function" in particular, would make an interesting assignment in a course in public administration. The last chapter, in which the author discusses "The Movement for Permanent FEPC Legislation," is a good case study of parliamentary maneuvering designed to defeat a proposed bill. Also, the book would be useful to illustrate the shift in American thinking from laissez-faire to positive government.—FELIX RACKOW, *Brown University*.

The History of Voting in New Jersey: A Study of Election Machinery, 1664-1911. BY RICHARD P. MCCORMICK. (New Brunswick, N.J.: Rutgers University Press. 1953. Pp. xii, 228. \$5.00.)

A scholarly "history of the development of the election process in New Jersey from the beginnings of English settlement down into the twentieth century," which makes a valuable contribution to a field hitherto neglected except for the colonial period and with respect to special aspects of the subject in a few states since that time.

Public Opinion and Propaganda: A Book of Readings. EDITED BY DANIEL KATZ, DORWIN CARTWRIGHT, SAMUEL ELDERSVELD

AND ALFRED MCCLUNG LEE. (New York: The Dryden Press. 1954. Pp. xx, 779. \$6.25.)

A compilation of well-chosen selections from the contributions of 91 publicists and writers in the various social sciences to the subject of public opinion, prepared under the auspices of the Society for the Psychological Study of Social Issues and designed for use in all the social disciplines which give attention to the study of public opinion and propaganda.

Index to Congressional Committee Hearings in the Library of the United States House of Representatives Prior to January 1, 1951. COMPILED BY RUSSELL SAVILLE. (Washington: Government Printing Office. 1954. Pp. 485.)

The *Index* for the most part lists House Committee hearings. The main arrangement is alphabetical by title. There is also an arrangement by committees, and a table by Congress and bill numbers.—J.B.C.

Metropolitan Los Angeles: A Study in Integration. VIII. Water Supply. BY VINCENT OSTROM. (Los Angeles: The Haynes Foundation. 1953. Pp. xii, 177. Cloth, \$2.75; paper, \$2.25.)

A study of the problem of water supply for the metropolitan region of Southern California with much wider interest than the sub-title might indicate. Although there is an emphasis upon the administrative phases of the problem, the study extends generally to governmental aspects.

Era of the Oath: Northern Loyalty Tests during the Civil War and Reconstruction. BY HAROLD MELVIN HYMAN. (Philadelphia: University of Pennsylvania Press. 1954. Pp. xiv, 229. \$5.00.)

Alan Barth's description of our day as the "era of the oath" is applied by the author to the Civil War and Reconstruction, as he traces the historical events (without much analysis of court decisions). He concludes that the oaths failed: they did not measure loyalty, were condemned by the courts and eventually discarded, and were taken by persons holding neutral reservations not contemplated by their framers.

The Test of Freedom. BY NORMAN THOMAS. (New York: W. W. Norton & Co. 1954. Pp. 211. \$3.00.)

A further elaboration of the well-known viewpoint of the author on the subject of civil

liberties dealing with "the state of liberty under the twin attacks called communism and McCarthyism."

From the Declaration of Independence to the Constitution: The Roots of American Constitutionalism. EDITED WITH AN INTRODUCTION BY CARL J. FRIEDRICH AND ROBERT G. McCLOSKEY. (New York: The Liberal Arts Press. 1954. Pp. lxxviii, 71. \$.75.)

A reprint of several basic documents, including the Declaration of Independence, the Articles of Confederation, and the Constitution, with a sophisticated 60-page introduction on the background of political thought and the adoption of the documents.

Elihu Root and the Conservative Tradition. BY RICHARD W. LEOPOLD. EDITED BY OSCAR HANDLIN. (Boston: Little, Brown and Co. 1954. Pp. x, 222. \$3.00.)

This volume reviews the career of Elihu Root as lawyer, Secretary of War, Secretary of State, United States Senator, and elder statesman with a view to assessing his contribution to American conservatism, the lead in the formulation of which, according to the editor, has generally fallen into the hands of lawyers, who are "most sensitive to the restraints of the legal system" and who wish "to extend those restraints to all politics."

Franklin D. Roosevelt: The Ordeal. BY FRANK FRIEDEL. (Boston: Little, Brown and Co. 1954. Pp. 320. \$6.00.)

The Ordeal is the second volume of the author's projected six-volume life of Franklin D.

Roosevelt. It carries the subject from the end of his Navy career, through his campaign for the Vice-Presidency and his siege with polio, up to his election as Governor of New York.

The Republican Roosevelt. BY JOHN MORTON BLUM. (Cambridge: Harvard University Press. 1954. Pp. viii, 170. \$3.50.)

An attempt at a somewhat new interpretation of Theodore Roosevelt as President and political leader by an associate editor of *The Letters of Theodore Roosevelt* (8 vols., Cambridge, 1951-1954).

Review and Reflection: A Half-Century of Labor Relations. BY CYRUS S. CHING. (New York: B. C. Forbes and Sons Publishing Co. 1953. Pp. vi, 204. \$3.95.)

An informal and interesting presentation of the experiences and conclusions of a prominent figure in the field of labor relations in the United States during the last fifty years.

American Planning and Civic Annual. EDITED BY JAMES HARLEAN. (Washington: American Planning and Civic Assoc. 1953. Pp. xii, 162.)

A joint publication of the American Planning and Civic Association and the National Conference on State Parks, which presents addresses and reflects the tenor of discussions at the 1953 conferences of the two organizations. The Civic Association's meeting stressed metropolitan and regional planning, and that of the National Conference gave attention to park progress and financing.

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FRANKLIN L. BURDETTE

University of Maryland

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FOREIGN AND COMPARATIVE GOVERNMENT

The Doctrine of Responsible Party Government: Its Origins and Present State. BY AUSTIN RANNEY. (Urbana: The University of Illinois Press. 1954. Pp. xi, 176. Paper, \$3.00; cloth, \$4.00.)

Most of the recent controversial literature regarding party government contains little or no reference to the work of earlier generations of political scientists and fails to profit by their contributions. Professor Ranney sets out to analyze the works of a group of these writers and to discover what they have to contribute to the present disputation. He selects for study the writings of Wilson, Lowell, Ford, Goodnow, Ostrogorski, and Croly, and concludes that "There is very little indeed in the present-day discussion of the doctrine of responsible party government that they did not consider and, in some respects, consider more thoroughly and satisfactorily than any of the writers of our own time are doing" (p. 155).

What the study shows to an even greater extent is that the earlier writers were guilty of most of the same mistakes and incompletenesses of analysis that plague the subject today. In some degree, Mr. Ranney reveals these errors by his own dissection of the problems. Following the course between the Scylla of logomachy and the Charybdis of ambiguity and confusion arising out of the loose use of words, he holds a steady tiller. Not all confusion is avoided, but definite progress is made.

The author points out, for instance, that writers frequently move from the existent to the ideal without realizing their shift, and that they often overlook the fact that the requirements of democracy *within* the parties may conflict with the necessities of democracy *between* the parties. He makes it clear that supporters of "party government" who believe

that their opponents simply fail to understand the logic of the political process seriously underestimate the depth of the chasm that separates them from their opposition.

But Professor Ranney, and many of the contemporary writers he refers to, would do well to reread Walter Lippmann and remind themselves of the dangers entailed in the use of such terms as "the people" and "the will of the majority." Writers pro and con on majority rule have concentrated too much on the questions of what ought to happen when a majority wills "X," and of what institutions would best secure this result. Since, as all followers of opinion polls must realize, a *majority* will or opinion on most of the questions that governments have to answer does not exist, this controversy becomes, if not irrelevant, at least peripheral. Along with the belief that "the people" *have* a will on most political issues frequently goes the conviction that they can do no more than say "yes" or "no" to questions over whose formulation they have no control. Thus in England Bagehot and in this country Henry Jones Ford, with his emphasis on the limited role of the voter, combine majoritarianism with philosophies that are essentially aristocratic. (The fact of this combination seems to have escaped the notice of writers on this subject.) The sharp distinction between control and participation on which such a theory must rest is indeed far less valid than the largely discredited distinction between politics and administration. The truth of the matter is that there is both less and more "popular will" than writers of the "majoritarian" and "party government" schools seem to believe. It may be suggested that we need less attention to the question posed by the author, "What is democratic government, and

what does it require?" and more to the questions, "What *kind* of (democratic) government do we want, what do we have, and how do we get from here to there?"

If Professor Ranney's book serves to stimulate attention to these questions, and to provide useful aids to analysis, it will have earned its keep, and more.—J. ROLAND PENNOCK, *Swarthmore College*.

Democracy in Alberta: The Theory and Practice of a Quasi-Party System. By C. B. MACPHERSON. (Toronto: University of Toronto Press. 1953. Pp. xii, 258. \$5.50.)

Students of comparative government and of political parties have written extensively of variations in party systems. Several general descriptive concepts have become familiar, although their use is often qualified by warnings that unique characteristics attach to every party system.

There is the multi-party system, chiefly associated with continental countries; there is the two- or three-party system, chiefly associated with Anglo-American democracy; there is one-party totalitarian government; and there is no-party or nonpartisan government, most often advocated for local jurisdictions where efficiency of administration rather than decision on public policies is the principal goal.

In this book on democratic government in the province of Alberta, Canada, Professor Macpherson develops the concept of a "quasi-party" system. He argues that between 1921 and 1935, when the United Farmers of Alberta dominated provincial politics, and since 1935, when control abruptly shifted to the Social Credit movement, a type of party government has prevailed that does not fit the conventional concepts and cannot be thought of adequately as a deviation from them. He suggests that this quasi-party system may be found in others of the prairie provinces, and to a degree in Canadian federal government, and that its roots in the social and economic structure are sufficiently deep to make it a continuing twentieth-century political form.

A social-economic-political movement captures most of the legislative seats. Control is not complete, however, for there is organized party opposition that wins a few seats. Because the movement wins elections and must govern, it displays enough of the essential attributes of a political party to be called one. Yet in the content of the movement's program, emphasis falls on effective administration rather than policy formation, and there is deliberate rejection

of alternate-party government. These are the distinctive political features in Alberta.

Two basic characteristics of the province's economy are cited to explain its political organization. It is a *petit-bourgeois* society made up preponderantly of "independent commodity producers," and it occupies a position of quasi-colonial dependence on the financial and manufacturing interests of eastern Canada. The homogeneity of the economy provides no basis for a competitive party politics within the province, and the party system in the dominion government is viewed as the instrument by which the agricultural provinces are exploited.

Historically, these two conditions led to the imperfectly fulfilled experiences of "delegate democracy" under the U.F.A. and "plebiscitarian democracy" under Social Credit. The author traces these experiences, and then interprets and evaluates them in terms of two theories of the function of party. He prefers the class theory of democracy, first developed prior to universal suffrage, in which the party system contains and moderates class opposition and protects against arbitrary government, rather than the prevalent pluralistic theory of twentieth-century, liberal-democratic thought in which the party system mediates neutrally among numerous diverse group interests. He concludes in the end that in the specific conditions of Alberta the quasi-party system can perform in a reduced degree the functions of a regular party system, and is the only system that can do so.

The book is the fourth of a series sponsored by the Canadian Social Science Research Council dealing with the development of the Social Credit movement in Alberta. It is not of the same mood with much contemporary empirical research in the United States, and some readers less familiar with the scene than the author may view with surprise—and certainly will view with envy—the essential simplicity and confidence of his analysis. The theoretical scheme as well as the descriptive data in the volume will warrant the attention and the appreciation of all students of party government.—ALEXANDER HEARD, *University of North Carolina*.

Evolution of Provincial Autonomy in India, 1858 to 1950, with Special Reference to Uttar Pradesh. By P. N. MASALDAN. (Bombay: Hind Kitabs Ltd. 1953. Pp. viii, 215. Rs. 10-0.)

The main feature of this competent con-

tribution in the field of Indian constitutional history by Dr. Masaldan of Lucknow University is a concise and methodically-organized description of the institutions of provincial government erected by the Constitution of 1935. Emphasis is on mechanics rather than dynamics. However, there is a valuable survey of the operation of the system in Uttar Pradesh (the United Provinces), where a ministry composed of such notables as Pt. Pant, Dr. K. N. Katju, and Madame Pandit took office in 1937, in accordance with the controversial decision of the Congress party not to boycott the Constitution. The author concludes that, until the breakdown of the system over the issue of India's participation in the war, there was harmonious cooperation between the Ministry and the British-appointed Governor, and that the popular Assembly was able to produce "some very important and useful" legislation. A somewhat cursory "Postscript" describes the provisions relating to state government in the 1950 constitution, thus illuminating the great structural similarities between the old and the new systems and, hence, the firm continuity prevailing in the development of contemporary Indian political institutions.

One issue having great relevance for the actual viability of provincial autonomy is alluded to in a fascinating manner by Dr. Masaldan, but not pursued. He quotes without comment the judgment of the Simon Commission of 1927 that "an initial difficulty" in the formulation of a federal scheme for India arose from the fact that the existing territorial units were mere administrative areas rather than states "possessed of individuality and consciousness," and that "No one of them has been deliberately formed with a view to its suitability as a self-governing unit within a federated whole. . . ." The current intensity of agitation for reorganization of states on a linguistic basis testifies that this "initial difficulty" has been inherited as an urgent problem in free India.—GENE D. OVERSTREET, *Michigan State College*.

Russia: What Next? BY ISAAC DEUTSCHER.
(New York: Oxford University Press. 1953.
Pp. vii, 230. \$3.00.)

In this, the third of his four books bearing on Soviet Russia, Mr. Deutscher has embarked on a journey into prophecy via the route of wishful thinking. His purpose is to inform us that "Stalinism" is dying and (from all appearances) is about to give way to a "democratic regeneration" instituted from

above by Malenkov and his fellow future reformers.

Deutscher sees Stalinism as a blending of the Bolshevik Revolution with the barbaric, nationalistic, and despotic traditions of old Russia. This unhappy union emerged, in his opinion, because the failure of socialist revolutions abroad drove the Bolsheviks into a policy of national isolation—a development which threw them back upon the "barbarism" of the Russian environment and forced them to abandon proletarian democracy in favor of autocracy. Stalin succeeded to power because he more than anyone represented these new circumstances. ("The trend of the time found in Stalin its 'organ'.")

Stalinism, however, was bound to destroy the conditions necessary for its own self-perpetuation. By promoting technology, education, and economic planning, by socializing industry and collectivizing agriculture, and by other such "achievements" that remain "great and universal in the Russian Revolution," Stalinism has fashioned a new set of conditions that are out of joint with the despotism, the "primitive magic," and the national isolation upon which the regime has previously rested. The new generation, Malenkov among them, is aware of this disjunction and is in revolt against Stalinist "primitive magic." It is eager to introduce "rationalization" into all spheres of national life, and to achieve a national (and presumably democratic) political system. What Deutscher is saying, essentially, is that an advanced culture (technology plus Marxism) has been victorious over a backward culture (old Russia) with which it was compelled, for a time, to live. The victory of socialist "material conditions" has rendered the old habits of thought and government (the "superstructure") intolerable, and they will therefore disappear. Bolshevism will then return to the path of freedom from which it was temporarily deflected. The events following Stalin's death—the announced amnesty, the purges of the secret police, the reversal of the "doctors plot," the shifts in foreign policy—are all seen by Deutscher as confirmation that the revolt against Stalinism has already begun.

Like all Deutscher's writing, this book contains many brilliant and exciting passages, and scintillating prophecies that invite our admiration. Unfortunately, however, the argument upon which they rest is schematic and teleological, reflecting, in its logic, assumptions and formulas, long-standing Marxist in-

tellectual habits. Thus, for example, the realities of political power in a totalitarian dictatorship are virtually passed over in favor of the threadbare Marxist notion that the "material conditions" will eventually determine the forms of politics and culture. One detects also a nostalgia toward the myths surrounding the Bolshevik Revolution and a reluctance to part with the belief that the initial promise of progress and salvation will somehow pay off in the end. By reason of these predilections Deutscher is led to invent doubtful distinctions between "Stalinism" and "Bolshevism" and to assign responsibility for Soviet despotism to *historical circumstance* rather than to the Bolshevik movement itself. The same predilections may also account for his disregard of the palpable fact that the Nazis managed to impose despotism and their own brand of "primitive magic" on a society that was technologically and culturally far more advanced than the USSR.

The value of the book is further reduced by the frequent inclusion of sweeping, unsupported, and questionable generalizations; by its habit of ascribing to speculations the validity of established fact; and by its tendency to account for extremely complex developments in the oversimplified language of the flashing poetic phrase.—HERBERT McClosky, *University of Minnesota*.

Zaibatsu Dissolution in Japan. By T. A. Bisson. (Berkeley and Los Angeles: University of California Press. 1954. Pp. xi, 314. \$5.00.)

Mr. Bisson's book may be considered on two levels: the factual account of the implementation of American policy for the dissolution of the *zaibatsu* combines in Japan; and the value judgments that he places on what was done and what was not done.

With regard to the first, he has done a thorough piece of research based on the English language sources. The story is a technical one, but he tells it well, taking the reader step by step through the various stages of the dissolution problem. It is doubtful if much more could be added from the American sources available. It is equally doubtful if the Japanese sources will ever reveal many of the details of the other side of the question: Japanese reaction and countermeasures to the dissolution program. It is not the type of thing about which public records were kept.

When Mr. Bisson judges the dissolution program, he enters a controversial field, and the reader is not left in doubt as to where Mr.

Bisson stands. He feels that American policy was unrealistic from either an economic or a political point of view. He states that the assumption that democracy in Japan should rest on the American concept of individualism was dangerous and quotes John Embree: " 'In the Japanese ideology individualism is a selfish sin.' " He argues that the nationalization of the *zaibatsu* combines would have been a logical policy. The Japanese railway and communications systems have long been nationalized. Nationalization, he says, would have preserved the advantages of large-scale operations and would have been based on collectivistic social patterns.

There are several good arguments against Mr. Bisson's thesis. On the one hand, would he, by the same criterion, throw out other parts of SCAP's program, such as the guarantees of the individual's freedom, because these could be labelled "un-Japanese"? On the other hand, if his thesis be granted that free enterprise was not for the Japanese, is there any guarantee that state ownership would be any more benevolent than *zaibatsu* ownership? Japanese history does not sustain him. Finally, are we not confusing political and sociological terms when we speak of nationalization based on collectivistic social patterns? It should be added, at once, that Mr. Bisson gives both the pros and cons in discussing controversial issues.

Mr. Bisson feels that the program of dissolution generally failed and that independent Japan will soon revert to the major features of the *zaibatsu* system. He is probably right, although it is slower in happening than he, in all probability, expected.

Nine appendixes containing documents, a selected bibliography, a good index, and charts of the organization of the Big Four *zaibatsu* enhance the value of the book.—PAUL S. DULL, *University of Oregon*.

Forteckning över statliga utredningar 1904–1945.

By RIKSDAGSBIBLIOTEKET. (Norrköping: Östergötlands dagblads tryckeri. 1953. Pp. vi, 1405. Kr. 40.)

The Swedish Parliamentary Library has rendered a great service by preparing and publishing a bibliography of Swedish government commission of inquiry reports for the period 1904–1945. Two volumes by Erik Thyselius, printed in 1896 and 1904, had contained a detailed chronological list of the government commissions for the period 1809–1903. The present continuation of Thyselius, prepared by

Ivar Beskow and Anders Lindberger, is arranged first in large groups by the government departments to which they relate and then chronologically under the department. For each commission, there is usually a statement as to the membership and activities as well as to the content of the report, or reports, and whether printed in separate form, or as a parliamentary document, or in the series *Statens offentliga utredningar*, or elsewhere, or whether not printed and in that case where copy is located. The series *Statens offentliga utredningar*, in which most of the commission of inquiry reports are printed currently, began only with 1922. The present work includes a careful index to commission members with identification as to date of birth and death, a thirty-nine page chronological list (two columns to the page), and a subject index.—J.B.C.

Sveriges officiella statistik. Allmänna val. Riksdagsmannavalen, ören, 1949-1952. BY STATISTISKA CENTRALBYRÅN. (Stockholm: Kungl. Boktryckeriet P. A. Norstedt & Söner. 1953. Pp. 246.)

The statistical report on the elections to the Swedish Parliament, 1949-1952, reproduces the table of contents in English, gives translations of Swedish words occurring frequently in the tables, and has a one-page English summary.—J.B.C.

The Growth of Scandinavian Law. BY LESTER BERNHARDT ORFIELD. (Philadelphia: University of Pennsylvania Press for Temple University Publications. 1953. Pp. xx, 363. \$8.50.)

Mr. Orfield's book attempts to give the American reader an introduction to the general historical development and structure of the legal systems of Denmark, Iceland, Norway, and Sweden. The author's emphasis is on history, institutional structure, and public law. It is regrettable that the area of private law is almost entirely omitted, since material on it is least accessible to American scholars.

Kanchō kankō—butsu sōgō mokuroku. BY BRANCH LIBRARIES DIVISION, NATIONAL DIET LIBRARY. (Tokyo. 1952. Pp. 650. Yen 1400.)

For the period September, 1945 to December, 1950, the Branch Libraries Division of the National Diet Library at Tokyo has prepared with the help of the libraries in the various

ministries and other agencies of the Japanese government a catalogue of Japanese official publications, arranged in the order of the Nippon decimal classification with an alphabetical agency index. Aside from the occasional titles in English, the work is entirely in Japanese. Vol. 2 (pp. 550, yen 1400), continuing the checklist for the years 1951-52, is being published in 1954. Many of the publications issued soon after World War II appeared only in very limited editions, and the locations are given for those of unusual scarcity. Beginning with January, 1927 and continuing through December, 1943, the Cabinet Printing Office published an extremely useful catalog of currently issued Japanese official publications, at first quarterly and then monthly. The period January, 1944 through August, 1945 apparently still remains to be covered.—J.B.C.

De ontwikkeling van het Minister-presidentschap. BY DR. E. VAN RAALTE. (Leiden: Universitaire Pers. 1954. Pp. xi, 226.)

The development of the "primeminister-ship" is studied beginning with the year 1917, the date of the author's thesis on the prime minister. He considers the situation in the Netherlands, Belgium, Great Britain, France, West Germany, Soviet Russia, and Ireland. Although the text of the study is in Dutch, there is an eight-page summary in English at the end.—J.B.C.

L'Évolution récente des institutions politiques dans les territoires d'Outre-Mer et territoires associés. BY THE DIRECTION DE LA DOCUMENTATION OF THE PRÉSIDENTIE DU CONSEIL AND BY THE DIRECTION DES AFFAIRES POLITIQUES OF THE MINISTÈRE DE LA FRANCE D'OUTRE-MER. (Paris: La Documentation Française. 1954. Pp. 40. Notes et études documentaires, no. 1, 847. 100 francs.)

In the preamble of the 1946 Constitution of France is the statement that "La France forme avec les peuples d'Outre-Mer une Union fondée sur l'égalité des droits et des devoirs, sans distinction de race ni de religion." The study begins with the recommendations of the Brazzaville Conference in 1944, mentions that Title VIII of the Constitution is devoted to the French Union, traces the extension of public rights and duties to the overseas and associated territories, outlines their participation in the central legislative bodies, and gives

a statement of the democratic development in the territories themselves.—J.B.C.

Annuaire des États Associés: Cambodge—Laos—Vietnam. 1953. (Paris: Editions Dilou-tremer et Havas. 1953. Pp. 578.)

The first annual for the three associated states of Cambodia, Laos, and Vietnam, in Indo-China, includes for each a section on government and administration and a directory of the government.—J.B.C.

The Persian Gulf Gazette. Vol. 1, No. 1, Oct. 1, 1953. (Bahrain: Her Majesty's Political Resident in the Persian Gulf. 1953. 9d, or 8 annas a no. with supplements separately priced.)

The Gazette is published quarterly with "notices of appointments and of all Orders in Council, Regulations, Rules and other instruments affecting the exercise of Her Majesty's jurisdiction in Bahrain, Kuwait, Qatar, the trucional States and Muscat and Oman, and also notices of other matters of concern to persons subject to Her Majesty's jurisdiction in those states." Instruments of a legislative character are issued in supplements which can be purchased separately. A 260-page supplement to No. 1 contains the "Texts of Orders in Council, Regulations, Rules and Legislative Notices in force in Bahrain, Kuwait, Qatar and the trucional States on the 1st of October, 1953."—J.B.C.

Interpretación de la Historia de Sudamérica. By ARTURO VILELA. (La Paz: Biblioteca Pacena, Alcaldía Municipal. 1953. Pp. 224.)

A general survey of political trends in the nine Spanish-speaking countries of South America, expanded from a Master's thesis written at Northwestern University in 1945. Although it offers little new substantive information, the last half of the book considers the political personality of the southern states and offers an interesting appraisal of the political process in Latin America by an informed native observer. It was published under the aegis of the municipal council of La Paz, Bolivia, as part of a program through which the revolutionary government of President Paz Estenssoro is seeking to make available the works of Bolivian writers of "revolutionary mentality" to encourage "civic virtue" in the masses. In this case at least the government seems to be willing to support a systematic study of politics rather than a blatant apology for the government in power.

Those Perplexing Argentines. By JAMES BRUCE. (New York: Longmans, Green, & Co. 1953. Pp. xi, 362. \$5.00.)

A very *simpático* study of Argentine characteristics by a former U.S. ambassador which should contribute to our understanding of the reasons for the Argentine attitude toward the U.S. and the faltering of democracy in that country.

Governments of Latin America. By MIGUEL JORRÁN. (New York: D. Van Nostrand Co. 1953. Pp. xii, 385. \$4.50.)

A textbook for college courses on Latin-American governments presenting the subject, not in the usual country-by-country fashion, but topically.

Handbook of Latin American Studies: 1949. EDITED BY FRANCISCO AGUILERA. (Gainesville: University of Florida Press. 1952. Pp. xii, 289. \$7.00.)

A selective and annotated guide to material published in 1949 on anthropology, art, economics, education, geography, government, history, international relations, labor and social welfare, language and literature, law, music, philosophy, and sociology. Prepared by the Hispanic Foundation of the Library of Congress.

Latin American Politics and Government. By AUSTIN F. MACDONALD. (New York: Thomas Y. Crowell Co. 1954. 2nd ed. Pp. viii, 712. \$6.00.)

The second edition of this textbook on Latin-American governments (the first edition appeared in 1949) incorporates the changes brought about by several revolutions and the adoption of eight new constitutions. There is a new chapter on the relations of Latin America and the United States.

Bolivia: A Land Divided. By HAROLD OSBORNE. (New York: Royal Institute of International Affairs. 1954. Pp. ix, 144. \$2.50.)

Ecuador: Country of Contrasts. By LILO LINKE. (New York: Royal Institute of International Affairs. 1954. Pp. ix, 173. \$2.50.)

Paraguay: A Riverside Nation. By GEORGE PENDLE. (New York: Royal Institute of International Affairs. 1954. Pp. vi, 115. \$2.50.)

These three concise and informative volumes, latest in a series on Latin America (which also includes Brazil, Chile, Colombia,

and Uruguay), cover geographical regions, historical aspects, transportation, agriculture, and comments on politics, social structure, and national economy.

Soviet Military Doctrine. By RAYMOND L. GARTHOFF. (Glencoe, Ill.: The Free Press. 1953. Pp. xviii, 587. \$7.50.)

This book is the result of a research project undertaken by the RAND Corporation on behalf of the U.S. Air Force. It is a technical and extremely important work, being the first thorough analysis in English of the military doctrines of the USSR. The author has made extensive use of Soviet documents and other source materials, including interviews with former Russian and German officers. He deals competently with the background and development of Soviet principles of war, some of which are inheritances from the Imperial era, the relation of partisan forces to general military strategy, and the effect of the Marx-Lenin-Stalin philosophy on military planning. Of special significance is the discussion of the evolution of the attitude of the USSR High Command on the issue of the correct role of air power in modern war. The work is invaluable to students of military history and of contemporary strategic problems. The excellent documentation and bibliography add to the book's intrinsic value.

Imperial Communism. By ANTHONY T. BOUSCAREN. (Washington: Public Affairs Press. 1953. Pp. vii, 256. \$3.75.)

A rather sketchy survey of Communist activity and policy in areas outside of the USSR. The author, now Professor at Marquette University, herds into the Communist fold many who would be surprised indeed to find themselves there, for example the members of the Fabian Society in England, Leon Jouhaux in France, and certain of the former Spanish Republican leaders now in exile. The book's chief value lies in the authors exposé of the tactical nature of Soviet actions.

The Men Who Ruled India: The Founders of Modern India. By PHILIP WOODRUFF. (New York: St. Martin's Press. 1954. Pp. 402. \$5.00.)

The first of two volumes (the second to be titled "The Guardians") describing the successive stages of European penetration and rule of India, written about the major personalities of each stage. This volume spans the period 1600 to 1858.

Naissance de Nouvelles Démocraties: Introduction et développement des institutions parlementaires dans les pays de l'Asie du Sud et dans les territoires coloniaux. By SIDNEY D. BAILEY. (Paris: Librairie Armand Colin. 1953. Pp. xiii, 200. 650 Fr.)

A French translation of two short English-language studies; the first, "Problems of Parliamentary Government in Colonies," appeared in *Parliamentary Affairs*, Winter 1952-3, and the second, "Parliamentary Government in Southern Asia," is by Sydney D. Bailey and was published by the Institute of Pacific Relations in 1953.

Erlebte Weltgeschichte 1869-1953. Memoiren. By FRIEDRICH WILHELM FOERSTER. (Nürnberg: Gluck & Lutz. 1953. Pp. 719.)

The autobiography of the famous German pacifist and proponent of a new Christian education. Foerster who, incidentally, is related to General Moltke, received his first prison sentence in 1895 for criticizing the Kaiser's military budget. The book gives a detailed analysis of Wilhelminian, Weimar, and Nazi Germany as well as the author's views on several other countries where he had to live because of consistent and strong criticism of German nationalism, including the United States where he has made his home since 1940.

Statistisches Taschenbuch über die Heimatvertriebenen in der Bundesrepublik Deutschland und in West-Berlin. (Wiesbaden: Statistisches Bundesamt. 1953. Pp. xii, 163.)

The manual of official statistics of refugees in the German Federal Republic and West Berlin is based upon the census of 1950, is limited to statistical tables, and is accompanied by a useful chronological table.—J.B.C.

Planen und Bauen in der Sowjetischen Besatzungszone und im Sowjetsektor von Berlin. By DR. BARTHO PLÖNERS. (Bonn: Bundesministerium für gesamtdeutschen Fragen. 1953. Pp. 126.)

A study of the organization of planning and building in the Soviet Zone of Germany, published as one of the unnumbered series "Bonner Berichte aus Mittel- und Ostdeutschland," and includes the text of the pertinent laws and regulations.—J.B.C.

Die Drei Ringe: Lebensgeschichte eines Industrieunternehmens. By GERT VON KLASS. (Tübingen, Germany: Rainer Wunderlich Verlag Hermann Leins. 1953. Pp. 487.)

A personalized story of the rise and fall of the famous German Krupp enterprise under three generations of the Krupp family. Told in a highly readable manner sympathetic to the Krupps.

Greece: A Political and Economic Survey, 1939-1953. BY BICKHAM SWEET-ESCOTT. (New York: Royal Institute of International Affairs. 1954. Pp. vii, 207. \$4.00.)

A factual and compact summary evenly divided between the political and economic; appendices treat the problems of Cyprus and

Greece's northern frontiers, and include useful current statistics and a bibliography.

The Origins of the Labour Party: 1880-1900. BY HENRY PELLING. (New York: St. Martin's Press. 1954. Pp. ix, 258. \$4.00.)

A detailed and well-written history of the formative years of the Labour party to the turn of the century. The emphasis is on the political relations and conflicts among the various men and movements that took part in the struggle to give labor a political voice.

SELECTED ARTICLES AND DOCUMENTS ON FOREIGN AND COMPARATIVE GOVERNMENT

WILLIAM H. ROBERTS

Catholic University of America

General

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INTERNATIONAL LAW AND RELATIONS

Stresemann and the Revision of Versailles: A Fight for Reason. BY HENRY L. BRETON. (Stanford: Stanford University Press. 1953. Pp. xii, 199. \$3.00.)

This is a valuable addition to the scholarly literature dealing with German foreign policy during the 1920's. It covers the efforts of that outstanding German statesman, Gustav Stresemann, to overcome the major restrictions of the Versailles Treaty and to win a position of equality for his country through diplomacy and reason rather than through military power.

The author has based his study on extensive original documentary sources, and has produced a more comprehensive and integrated account of Stresemann's foreign policy than has hitherto been available.

Stresemann assumed responsibility for German foreign policy in 1923 at the height of the Ruhr occupation when the obstacles to the regaining of any German influence in Europe seemed insurmountable. During the next six years, he demonstrated that even a country stripped of its military power could by skillful diplomacy achieve a number of its major foreign policy objectives, such as the evacuation of the Ruhr, the modification of the reparations schedule, the conclusion of the Locarno Treaties, the admission of Germany to the League of Nations, and the ultimate withdrawal of Allied forces from the German Rhineland five years ahead of schedule.

Stresemann's diplomatic strategy was based on methods which seem amazingly familiar today: (1) taking advantage of the disunity among the Western powers to weaken the

strict enforcement of the Versailles treaty; (2) exploiting the general fear of Communist influence in Europe to gain concessions for Germany; and (3) arguing that Germany's economic value to Europe as a whole was too great to justify any policies which would lead to German economic disintegration. In the revival of Western Germany in recent years, Konrad Adenauer seems to have taken several pages out of Stresemann's book.

The author not only discusses Stresemann's international negotiations, but also emphasizes how skillfully the German statesman as a parliamentary leader dealt with the domestic opposition to his methods. For six years, he made himself virtually indispensable to the various government coalitions of Weimar Germany, countering the opposition of the German nationalists to his policies of conciliation, but utilizing the effect of their political pressure to persuade the Allies of the wisdom of making concessions to his weakened country. He was admittedly opportunistic many times, and often illustrated the belief that politics was the art of the possible.

This period of the mid-1920's, which illustrated the successes of policies of rapprochement, merits careful study at the present time when diplomatic negotiations are not often regarded with much approval. Stresemann, bargaining from weakness, achieved much for his country. Modern statesmen, bargaining from strength, might well emulate his techniques of winning concessions abroad and countering nationalistic opposition at home.—ELTON ATWATER, *Pennsylvania State University*.

Problems of Stability and Progress in International Relations. By QUINCY WRIGHT. (Berkeley and Los Angeles: University of California Press. 1954. Pp. xiv, 378. \$5.00.)

For many years Professor Quincy Wright has been one of the leading American authorities on political science, international law, international relations, and related subjects. Articles, reviews, reports, and books, including the monumental two-volume *A Study of War*, have flowed from his prolific pen. The present volume contains twenty-one essays, written between 1946 and 1952. All but three have been published previously. Two of the unpublished essays, dealing with problems of institutionalizing international peace and security, were first delivered as lectures at the University of California (Berkeley) in May, 1952, on the occasion of the retirement of Professor Hans Kelsen.

The essays offer much food for thought for the general reader; but the style and content indicate that they were written primarily for the professional student of international affairs. They are full of shrewd, sane, informed comments on such topics as the balance of power, collective security, public opinion, international tensions, trends in world organization, the role of the United Nations, possibilities of international negotiations, new trends in international law, problems of war and peace, the atomic bomb and world politics, education and international stability.

Professor Wright defines with great precision the fundamental dilemmas of international relations in a world in which "conditions and opinions are out of harmony" and in which statesmen can neither organize a stable balance of power nor rely on law for security. "During the period immediately ahead," he believes, "diplomats must utilize the methods of power politics, which alone can be successful in preventing universal conquest so long as opinions remain dominantly national." In 1947 he stated that "the alternatives before the world are universal empire or universal federation"; but he holds that the former can be prevented and that the latter is premature. Indeed, in 1951 he cautioned that "any major reconstruction of the world order . . . should be conceived only as a long-run goal." His hope for the immediate future rests in the reduction of international tensions by skillful negotiations and in the evolution of a more complex balance of power. Ultimately he puts his faith in changes in world public opinion

and in the development of "a system of states organized by effective law."—NORMAN D. PALMER, *University of Pennsylvania*.

A Short History of International Organization. By GERARD J. MANGONE. (New York: McGraw-Hill Book Co. 1954. Pp. ix, 326. \$5.00.)

Teachers who in the past have had to refer students interested in the history of international organization either to brief chapters in general texts or else to unmanageable quantities of detailed documentation or specialized readings will be grateful to Gerard Mangone for this impressive and compact work. Moving in 326 pages from ancient Sumer to the United Nations and even venturing a look into the future, he has written as fine a history of international organization as can be written in so short a space.

Mr. Mangone, faced with a nearly impossible task of condensation, exhibits a fine sense of proportion by transporting us away from 2850 B.C. with jet-like speed so that we arrive at the signing of the Treaty of Westphalia within eight pages, and after another eight pages of text, at the Congress of Vienna. Successive chapters deal with "The Age of Consultation" (1814-1914), the development of international law, the rise of regional international organizations, and the future of international law and organization. There are two chapters on international administration, one covering nineteenth-century developments, and the other the work of the specialized agencies; and there are two chapters on the "periods of collaboration," namely, the days of the League of Nations and the United Nations.

Documentary appendices follow nearly all chapters. The author has prepared them with intelligence, and they enhance the value of the textual material. Thus a 23-page treatment of the development of international law can itself develop into an enriching experience if students consider such materials as excerpts from Grotius' *De jure belli ac pacis* and selections from the legal opinions on *La Jeune Eugénie* and *The Antelope*.

The excellent bibliographical references and notes will lead students easily to more information on their favorite subjects. This guidance is especially helpful because of the necessarily brief treatment many important questions receive; e.g., the work allows two pages for the League Secretariat, five for its modern counterpart, a little over one para-

graph for technical assistance, and no space whatever to the role in the U.N. of nongovernmental organizations.

Within the limits imposed on him, Mr. Mangone has acquitted himself admirably, and it will be an even happier day when his publishers allow him to write a more comprehensive history.—RICHARD N. SWIFT, *New York University*.

Foundations of the World Republic. By G. A. BORGESE. (Chicago: The University of Chicago Press. 1953. Pp. xi, 328. \$6.50.)

An eloquent, occasionally witty, occasionally moving argument, opening with the charge that "The era of humanity has not begun, but the age of nations has ended." Peace, Power, and Justice are the three concepts around which these essays are built. Before his death the author was secretary-general of the Committee to Frame a World Constitution at the University of Chicago.

Empire by Mandate: A History of the Relations of Great Britain with the Permanent Mandates Commission of the League of Nations. By CAMPBELL L. UPTHEGROVE. (New York: Bookman Associates. 1954. Pp. 239. \$3.50.)

This is primarily a history of Britain's management of her League mandates, but the author goes on to argue that the mandate principles were drawn largely from the tenets of British colonial policy and that they today offer a method for the solution of the vast problems of colonial nationalism.

Survey of International Affairs, 1951. By PETER CALVOCORESSI. ASSISTED BY KONSTANZE ISEPP. (New York: Oxford University Press. 1954. Pp. viii, 505. \$10.50.)

The Royal Institute's annual volume provides a handy, well-written commentary, based primarily on newspaper sources and such official documents as governments have made available to contemporary historians. The Persian oil dispute is considered at length, a section by George Kirk explores the growing Anglo-Egyptian controversy, and F. C. Jones contributes the chapters on China and Japan.

Foreign Relations of the United States: Diplomatic Papers, 1936. Vol. I: General; The British Commonwealth. (Washington: U. S. Government Printing Office. 1953. Pp. lxxvi, 892. \$4.25.)

Illusory hopes for arms limitations are still pursued in the concluding sessions of the

Geneva Armaments Conference and the London Naval Conference; correspondence on both war debts and international economic cooperation is voluminous; and the British Commonwealth relations center on trade, tariffs, and other commercial matters.

Foreign Relations of the United States: Diplomatic Papers, 1936. Vol. III: The Near East and Africa. (Washington: U. S. Government Printing Office. 1953. Pp. lxi, 542. \$3.00.)

A volume devoted almost solely to the Ethiopian-Italian war, and the accompanying problems of League action, U. S. neutrality, and recognition.

Advance to Barbarism: How the Reversion to Barbarism in Warfare and War-Trials Menaces Our Futures. By F. J. P. VEALE. (Appleton, Wis.: C. C. Nelson Publishing Co. 1953. Pp. xvii, 305.)

A reissue of the English edition published in 1948. The author denies both the legal and moral foundations of the Nuremberg and Tokyo trials and predicts that their result—far from deterring aggressors in the future—will result only in the waging of war to the bitter end since defeat can lead only to the gallows. The book is also an indictment of modern total war.

The Origins of the War of 1914. Volume II: The Crisis of July 1914. From the Sarajevo Outrage to the Austro-Hungarian General Mobilization. EDITED AND TRANSLATED BY LUIGI ALBERTINI. (London, New York, Toronto: Oxford University Press. 1953. Pp. xvi, 727. \$11.00.)

An Italian history, heavily documented and with excellent index, covering in detail a familiar and tragic period.

Hungarian Premier: A Personal Account of a Nation's Struggle in the Second World War. By Nicholas Kállay. WITH A FOREWORD BY C. A. MACARTNEY. (New York: Columbia University Press. 1954. Pp. xxxvii, 518. \$6.00.)

The personal memoirs of a man who had served as Prime Minister of Hungary in the fateful years 1942-1944; an important contribution to the study of the political developments in and around Hungary and of the Hungarian foreign policy of the period, though replete with attempts by the author to defend his policies.

The Century of Total War. BY RAYMOND ARON. (New York: Doubleday & Co. 1954. Pp. 379. \$5.00.)

An astute journalist gives the current international struggle its historical setting, disposes of much of the ideological confusion, pays special attention to the changes in and the role of Western Europe, and chooses continued "cold" or "limited" war as the only acceptable choice between capitulation and a third World War.

South Africa in a Changing World. BY EDGAR H. BROOKES. (New York: Oxford University Press. 1954. Pp. 151. \$3.00.)

A thoughtful but rather loosely organized

series of lectures on some of South Africa's problems, including her membership in the Commonwealth and her relations with India and the United States.

A History of the School of International Affairs and Associated Area Institutes, Columbia University. BY L. GRAY COWAN. (New York: Columbia University Press. 1954. Pp. vi, 105. \$2.25.)

This little summary records the prompt response of Columbia University to new needs for international and regional studies and describes the programs of education and research which have been developed.

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POLITICAL THEORY, RESEARCH, AND METHODOLOGY

La Pensée Politique et Constitutionnelle de Montesquieu: Bicentenaire de L'Esprit des Lois, 1748-1948. A Symposium. (Paris: Sirey. 1952. Pp. 328.)

The title of this symposium, held by the Comparative Law Institute of the University of Paris in celebration of the bicentennial of Montesquieu's main work, is actually somewhat misleading. It covers not only Montesquieu's political and constitutional ideas but the whole wide range of thought of this universal genius. In addition to acknowledgements of his achievement as a systematic political scientist, the volume includes encomiums of his contributions to the humanities, philosophy of history, and the social sciences (Comte himself paid him the tribute of being "le précurseur de la sociologie").

For obvious reasons, his constitutional thought, especially the doctrine of the separation of powers, is at the center of the symposium both in organization and emphasis, and it is here that the volume makes its major contribution. In a lucid essay, M. Eisenmann dispels some of the misinterpretations which twentieth-century jurisprudence has injected into the doctrine. In spite of Montesquieu's deductive method, it would surely have been strange if this astute observer had been so oblivious of political realities as to suggest the complete isolation of the three basic governmental powers in water-tight compartments. Such an isolation would have prevented the very balancing process which provided the rationale for the separation. A more plausible view is that inherent in the political interpretation prevalent in the nineteenth century, which in essence emphasized Montesquieu's intent of supplementing the separation with a system of checks and balances. The two essentials of the doctrine, as M. Eisenmann sees it, consist of a prohibition against relegating two of the three governmental powers to one and the same organ (which does not exclude participation by

one organ in the power of another) and against identity in the social composition of two or more branches of the government. In this constitutional method, which is to serve the central purpose of insuring the security of the citizen against arbitrary action of the sovereign power, social balance plays as important a part as the juristic separation of the powers of the government.

A frequently-voiced criticism of Montesquieu, which stands in urgent need of correction, has reference to his alleged misunderstanding of the British Constitution. In his introductory essay, M. Mirkine-Guetzévitch demonstrates the strictly utopian rôle which British institutions were to play in this context. Montesquieu selected Great Britain for the part, in spite of the considerable discrepancies between his doctrine and British actuality, because of the relatively high degree of liberty which it had attained.

By their very nature symposia of this type can lay claim neither to much originality nor to critical thought. This volume is no exception. Most of the information is known. Nevertheless, the Comparative Law Institute has been eminently successful in producing a useful book by drawing together up-to-date interpretations of Montesquieu's thought, including at the same time discussions of its historical antecedents as well as of its influence on European and American political thinking. —PETER J. FLIESS, *Louisiana State University*.

La Politique des États et leur Géographie. By JEAN GOTTMANN. (Paris: Librairie Armand Colin. 1952. Pp. xi, 228.)

Gottmann follows the rational French school, headed by Paul Vidal de la Blanche, in taking political geography out of the realm of simple determinism. In Gottmann's thinking, politics and geography are completely intertwined. Relief, frontiers, population, resources, all play their roles; but the changing

symbolism and organization of politics are as significant to a total pattern of interrelationships as are the more stable physical features of the globe.

Diversified compartmentalization of the world—which is both social and physical—is basic to varied political phenomena and to the tensions of international relations. Political compartments, beginning as trading cities and finally developing into states, occur at the points of interchange in commodities, people, and ideas. These points are generally set at the natural sites where men must delay their travels, meet with each other, and exchange their material and spiritual goods. In course of time, symbolism, organization, and a sense of political cohesion evolve and form the basis for the state.

It may be thought that the stabilizing influence of an emerging symbolism would conflict with the enriching effects of continued interchange. The two actually supplement each other, and are both needed if the state is to develop fully.

The thinking of the French school can be valuable to the American political geographer as an antidote to conceptions of physical determinism; and to the American political scientist as a reminder that politics are intermixed with the features of the physical world.
—JAMES L. BUSEY, *University of Colorado*.

Political Thought in England: Tyndale to Hooker. BY CHRISTOPHER MORRIS. (New York: Oxford University Press. 1953. Pp. x, 220. \$2.00.)

This little volume covers roughly the period between the appearance of Tyndale's *The Obedience of a Christian Man* in 1528 to the end of the 16th century and more particularly the publication of Hooker's *Laws of Ecclesiastical Polity*. The material discussed during this period constitutes naturally an indispensable introduction to the study of the Stuart period and the Puritan Revolution. Mr. Morris is primarily concerned with a careful exposition of the most significant pamphlets and tracts of the Tudor period rather than with an overall analysis and evaluation of the character and the relevance of the political speculation he covers. He discusses the bearing of the classic and feudal past upon the thought of the 16th century writers and pamphleteers; the mixture of theological and utilitarian considerations in the literature defending the King's prerogative and advocating the duty of obedience; and the religious, political, and

philosophic assumptions of the Elizabethan period. But probably the most interesting parts of the book are the analysis of Shakespeare's political views and attitudes, and the concluding chapters on the Catholic and Protestant positions respectively and the synthesis attempted by Richard Hooker in the closing years of the century. A detailed bibliography of the source material of the time as well as of secondary literature adds to the value of the book.—ROY C. MACRIDIS, *Northwestern University*.

Les Socialismes Français et Allemand et le Problème de la Guerre: 1870-1914. BY MILORAD M. DRACHKOVITCH. (Geneva: Librairie E. Droz. 1953. Pp. xii, 385.)

The scope of this work is broader than its title indicates. While the relation of German and French Socialism to the problem of war forms the focus of discussion, the author proceeds further into a critical analysis of the causes of the basic divergencies of the socialist movement in the two countries. M. Drachkovitch feels that despite the official unity of the Marxist front on the question of war and imperialism, as expressed by the successive resolutions of the Second International, there always existed a deep and fundamental cleavage in outlook and theory between the French and German Socialist parties. This divergency was never reconciled and grew from the basic antagonisms exemplified by the Proudonist, syndicalist foundation of French socialism *vis à vis* the stoutly orthodox Marxism of German Social Democracy. The fact that this divergency was merely covered over by the official pronouncements of the International accounts for the collapse of that organization in 1914. Thus the failure of the International to prevent or stop World War I, and the inability of the various socialist parties to overcome social patriotism by proletarian internationalism, illustrate the lack of meaning which the formalized theses and resolutions of the International had for the rank and file of the workers. The book supplements and deepens the analysis presented by Professor Fainsod in his *International Socialism and the World War*.

Gettell's History of Political Thought. BY LAWRENCE C. WANLASS. (New York: Appleton-Century-Crofts, Inc. 1953. 2nd ed. Pp. xii, 418. \$5.00.)

This new edition of Gettell's well known *History of Political Thought* by Professor Wan-

lass has left the original work substantially unchanged. There has been some revision of the section on the Middle Ages and new material has been added to the concluding sections on Liberalism, Fascism and Communism, but the basic late nineteenth-century approach of Gettell still dominates the work.

Freedom, Loyalty, Dissent. BY HENRY STEELE COMMAGER. (New York: Oxford University Press. 1954. Pp. ix, 155. \$2.50.)

Five short essays on "The Necessity of Freedom," "The Necessity of Experimentation," "Free Enterprise in Ideas," "Guilt by Association," and "Who is Loyal to America."

Le Syndicalisme en France. BY GEORGES LEFRANC. (Paris: Presses Universitaires de France. 1953. Pp. 125.)

In this brief work Georges Lefranc summarizes the history of syndicalism in France from 1895 to 1950. It is, therefore, a companion book to his earlier *Le Syndicalisme dans le Monde*, published in the same series as the present work in 1949. Like the earlier work, it constitutes a short but accurate reference for one already acquainted in the field and at the same time a convenient starting point for the beginner.

Robert Owen of New Lanark. BY MARGARET COLE. (New York: Oxford University Press. 1953. Pp. vi, 231. \$3.50.)

Margaret Cole here presents a succinct and pleasantly written life of the most successful of the nineteenth-century English social reformers. Mrs. Cole treats her subject with gentle understanding and has called upon her extensive knowledge of the British reform movement to give us a definitive account of the life, deeds, and significance of Robert Owen. Of particular interest is her tracing of the modern application of many of Owen's "utopian" ideas, thus underscoring his continuing influence in the twentieth century.

Brownson on Democracy and the Trend toward Socialism. BY LAWRENCE ROEMER. (New York: Philosophical Library. 1953. Pp. xvi, 173. \$3.75.)

Born in New England and reared in the Calvinist tradition, Orestes A. Brownson was converted to Roman Catholicism at the age of forty-one. As a writer and journalist he gained considerable reputation in England and America as a staunch defender of the more extreme Roman Catholic position. In this book

Mr. Roemer has collected from Brownson's voluminous writings those dealing with the problems of democracy and socialism and has combined them into a useful summation of Brownson's political views. The book is of value to students of social movements and especially to those interested in the problem of church and state.

Julius Bahnsen; Eine Untersuchung zur Vorgeschichte der modernen Existenz. BY HEINZ-JOACHIM HEYDORN. (Göttingen-Frankfurt a.M.: Verlag "Öffentliches Leben" G.m.b.H. 1952. Pp. 287.)

This volume is an attempt to rescue from oblivion the contribution of a non-Marxian Hegelian of the left to the intellectual history of the nineteenth century. The author gives a brief summary of biographical data and then analyzes systematically Bahnsen's philosophy. Of particular interest for the political scientist are the chapters on "Will and History," "State and Society," and "The Dialectics of Law." The study has considerable interest for contemporary scholars because of Bahnsen's penetrating insights into the dangers lurking in the optimistic assumptions of liberalism and the origins of the contemporary crisis of civilization.

Les Idées Politiques et Sociales de la Résistance (Documents Clandestins—1940-1944). TEXTS CHOSEN AND INTRODUCTIONS BY HENRI MICHEL AND BORIS MIRKINE-GUETZÉVITCH. (Paris: Presses Universitaires de France. 1954. Pp. xi, 410.)

Having ably described, in their respective introductory chapters, in what ways and through what channels the political thought of the French resistance grew and found expression during World War II (Michel) and having summarized its main problems and trends (Mirkine-Guetzévitch), the co-authors offer a selection of various wartime documents, such as articles of underground newspapers, speeches by French leaders abroad, and political declarations of various French political groups. The documents are arranged according to major topics.

Theory and Method in the Social Sciences. BY ARNOLD M. ROSE. (Minneapolis: The University of Minnesota Press. 1954. Pp. xii, 351. \$5.00.)

A collection of essays, some of which have been published before, offered for the purpose

of encouraging "research in sociology along certain neglected channels and with certain relatively neglected research tools." Some of the chapters will be of interest to political scientists.

Relation of the State to Industrial Action and Economics and Jurisprudence. By HENRY

CARTER ADAMS. EDITED BY JOSEPH DORFMAN. (New York: Columbia University Press. 1954. Pp. viii, 182. \$3.00.)

A reprint of two late-nineteenth-century essays by an American economist, with an introduction on the author's career and ideas by the editor.

SELECTED ARTICLES AND DOCUMENTS ON POLITICAL THEORY

FRANCIS G. WILSON

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NEWS AND NOTES

PROFESSIONAL CONFERENCES

Problems related to the organization and administration of public enterprises have become of central importance to the economic development and political stability of most of the countries served by the United Nations Economic Commission for Asia and the Far East. These problems also present an important challenge to the educational institutions of that region as they relate to the training of personnel for both public and private administration and management positions. To the governments and people of the countries outside the ECAFE region and particularly to students of government, the problems faced by the ECAFE countries hold special interest, not only because of their significance for the welfare of the countries themselves and to the political stability of the world, but also because so many of the problems have been the subject of study and debate in most Western countries.

The first detailed discussion of these problems on a regional basis took place at a seminar held in Rangoon, March 15-26, 1954, on the subject, "The Organization and Administration of Public Industrial Enterprises." It was sponsored by the United Nations (Technical Assistance Administration and ECAFE) and the International Institute of Administrative Sciences (Brussels). The agenda of the seminar included the following items: trends in the development of public enterprises in the ECAFE region; types of organizations suitable for public industrial undertakings; organization relationships within the governmental structure; financing of public enterprises; commercial aspects of public enterprises; problems of internal administration; and public understanding.

Participants came from the governments of Burma, Cambodia, Ceylon, China, France, India, Japan, Pakistan, Philippines, and the United Kingdom, and observers came from Israel and the USSR. Consultants on organizational and administrative problems of public enterprises included T. E. Chester, Acton Society Trust (United Kingdom); Louis Closon, Institut National de la Statistique et des Études Économiques (France); T. Benson Gyles, United Nations Expert at Sindri Fertilizer Project (India); W. Friedmann, University of Toronto (Canada); T. H. Kew-

ley, University of Sydney (Australia); Orhan Mersinli, Assistant General Director of Highways (Turkey); Bertil Olters, Regional Director of Royal Swedish Telecommunications Board (Sweden); and Harold Seidman, Government Corporation Specialist, Bureau of the Budget (U.S.). In addition, the UNTAA made available the services of Mr. G. W. Cadbury and Mr. F. J. Tickner. Walter H. C. Laves served as secretary general for the seminar and was responsible both for its preparations, including documentation and the selection of consultants, and for the management of the seminar itself.

The seminar had special significance because of the long preparation which began with work by the ECAFE Secretariat under the direction of U Nyun, Chief of the Industry Division, and a series of meetings of the ECAFE Committee on Industry and Trade. Subsequently, conversations were held with most of the governments in the ECAFE region to determine the precise nature of interest and to agree upon an agenda. Documentation was secured from a large number of countries, both in Asia and in the Western world.

The United Nations plans to issue a volume based on the basic discussion papers revised in the light of the seminar discussion, and it is hoped to make arrangements for the publication of the best among the fifty or more information memoranda dealing with the experiences of some two dozen Western countries on problems in the organization and administration of public enterprises.—WALTER H. C. LAVES.

The American University of Beirut sponsored the first all-Arab conference on public administration, which was held on the university campus, July 30-August 1, 1954. Leading career government officials and professors of political science from the Arab states attended.

The Twelfth Annual Meeting of the Midwest Conference of Political Scientists was held April 29-May 1, 1954, at the State University of Iowa with an attendance of 218 persons. Mr. Allan B. Kline, President of the American Farm Bureau Federation, gave the address at the opening general session. John Gange, Executive Director of the American

Political Science Association, spoke at the Friday luncheon on "Prospects for Political Science." Also at the luncheon Professor William Anderson presented a progress report on the work of the Commission on Intergovernmental Relations, and Professor James K. Pollock reported on the activities and status of the International Political Science Association. The topic for the general session on May 1 was "The Bricker Amendment." This issue was debated by Iowa State Senator D. C. Nolan and Professor Glendon A. Schubert, Jr. of Michigan State College.

Round-table discussions were held on the following topics: "The New Conservatism in American Political Thought," "Emerging Political Issues in the Midwest," "Legislative Reapportionment in the Midwest States," "Foreign Views of American Foreign Policy," and "The Crosskey Interpretation of the Constitution." Professor Crosskey acted in the capacity of discussant for the round-table discussion of his work.

The officers of the Conference for 1954-55 are: Asher N. Christensen, the University of Minnesota, president; Edward H. Buehrig, Indiana University, vice-president; A. LeRoy Bennett, Michigan State College, secretary-treasurer. Two newly elected members of the Executive Council are Royden Dangerfield, University of Illinois, and Vernon Van Dyke, State University of Iowa. The 1955 meeting of the conference will be held at Purdue University on May 5-7.—A. LEROY BENNETT.

The Western Political Science Association held a joint meeting with the Pacific Northwest Political Science Association, April 9-10, 1954, on the campus of Oregon State College, Corvallis, Oregon. The following officers were elected for next year: president, Herman Trachsel, University of Wyoming; vice-president, Curtis W. Martin, University of Colorado; council members, Frank Jonas, University of Utah (one-year term); William Gore, University of Washington; Ivan Hinderaker, University of California (Los Angeles); and Dwight Waldo, University of California (Berkeley). Allan R. Richards, University of New Mexico, will continue as secretary-treasurer. The association will hold its 1955 annual meeting in Boulder, Colorado, one day before the annual meeting of the American Political Science Association.—ALLAN R. RICHARDS.

The Northern California Political Science Association held its annual meeting on May 8,

at the College of San Mateo. Papers were delivered and discussions held on "Persistent Issues in American Foreign Policy," "Executive-Legislative Relations in the Conduct of Foreign Affairs," "Civil Rights Issues Today," and "Water Resources Development in California." Professor Claudius O. Johnson of Washington State College addressed the luncheon on "The State of Victoria Investigates Communism." Officers elected for 1954-1955 were: president, John M. Selig, City College of San Francisco; vice-president, Thomas S. Barclay, Stanford University; and secretary-treasurer, Robert C. McKenzie, University of San Francisco. The following were designated members of the Council: Joseph P. Harris, University of California; Richard J. Roberts, University of Santa Clara; Joseph Rupley, Safeway Stores; Charles Lohmyer, San Francisco Naval Shipyard; Philip W. Buck, Stanford University; John McLaughlin, California State Personnel Board; and Earl Campbell, San Jose State College.—JOHN M. SELIG.

The annual meeting of the Social Science Section of the Ohio College Association was held at the Ohio State University in Columbus, Friday and Saturday, April 9 and 10, 1954. Political scientists and economists from the faculties of Ohio universities and colleges comprise the group. Of the sixty-four in attendance, thirty-three were political scientists from fifteen institutions.

The program for the Friday afternoon session included a paper on "The Bricker Amendment" by Alfred Hotz, Western Reserve University, and one on "European Union" by Daniel Wit, Cincinnati. The evening meeting was addressed by John A. Skipton, director of the newly established Ohio Legislative Service Commission. At a joint dinner on Friday, Willard H. Ellsbree, Ohio University, presented some of his experiences as a member of the United Nations Economic and Social Council during the previous summer. The Saturday morning program was devoted to local topics. Harvey Walker, Ohio State, discussed "Metropolitan Fringe Problems," and Roland Gregg, Toledo Municipal League, presented "An Approach to the Metropolitan Problem." The joint luncheon on Saturday was addressed by R. S. Milne, Bristol, England, currently at Ohio State, on "National Economic Planning in Great Britain."

The officers elected for the year 1954-55 are: president, Donovan Emch, political science, Toledo University; vice-president, Vant Keb-

ker, economics, Ohio Wesleyan University; secretary-treasurer, Mona Fletcher, political science, Kent State University.—MONA FLETCHER.

The William E. Borah Foundation Conference on the Causes of War and the Conditions of Peace, sponsored jointly this year by the Foundation and the Pacific Northwest Conference on Higher Education, was held at the University of Idaho, March 18 and 19, 1954. The Conference theme, "Man's Right to Knowledge and the Free Use Thereof," was adopted in cooperation with Columbia University's bicentennial program. The principal speakers and their subjects were as follows: Thurgood Marshall, Director-Counsel for the National Association for the Advancement of the Colored People—"Race and Caste Distinction: Effective Barriers to Education and Democracy"; Dr. John A. Krout, Vice-President of Columbia University—"Higher Education and Man's Right to Knowledge and the Free Use Thereof"; Dr. Paul F. Lazarsfeld, professor of sociology at Columbia University—"Mass Media and Modern Society"; and Dr. Ursula M. Niebuhr, head of the department of religion, Barnard College—"Men's Freedom under God."

Following these major addresses, a total of nine public forums dealing with related subjects were held. Over 200 students, faculty members, and visitors traveled from institutions of higher learning throughout Montana, Utah, Oregon, California, and Idaho to participate in the conference. Approximately 1200 people were in regular attendance at the forums.—BOYD A. MARTIN.

United Nations Charter review was the subject of a two-day institute co-sponsored by the Minnesota World Affairs Center and the Center for Continuation Study of the University of Minnesota on April 9 and 10, 1954. A number of Minnesota citizens, assisted by resource persons from area colleges and universities (Carleton, Hamline, Macalester, St. Thomas, and Minnesota), prepared advance working papers for the four discussion groups. Security arrangements, membership questions, domestic jurisdiction, and regional arrangements were the major topics discussed. The points of view expressed by the nearly 200 persons in attendance revolved around the central question, "Should the United Nations Charter be revised, or is it the best that can be achieved at the present time?"

Faculty members who led the discussions included: Pierce Butler, Jr., attorney, St. Paul; Lawrence S. Finkelstein, Carnegie Endowment for International Peace; Reginald Lang, professor of government and international relations, Carleton College; Werner Levi, professor of political science, University of Minnesota; Linden A. Mander, professor of political science, University of Washington; Charles McLaughlin, associate professor of political science, University of Minnesota; Hans J. Morgenthau, professor of political science, University of Chicago; and Richard W. Van Wagenen, director of the Center for Research on World Political Institutions and associate professor of politics, Princeton University.

David W. Wainhouse, Deputy Assistant Secretary of State for United Nations Affairs, gave the concluding address of the Institute, speaking on "The United States and Charter Review." Mr. Wainhouse was introduced by Dr. Charles Mayo, new president of the American Association for the United Nations. William C. Rogers, Director of the World Affairs Center, was general chairman for the Institute.—WILLIAM C. ROGERS.

The Pennsylvania State University held its Third Institute on World Affairs and International Cooperation as part of the main summer session from June 28 to August 7, 1954. The theme of the institute was "The American Impact Abroad: Its Effect on International Cooperation and Understanding." A course in international understanding was taught again by Dr. Richard H. Heindel, Dean of the College of Arts and Science, University of Buffalo, and until recently Deputy Director of the UNESCO Relations Staff of the U.S. Department of State. Weekly lectures by distinguished authorities in world affairs were another feature of the institute. The speakers were: Everett R. Clinchy, President of the National Conference of Christians and Jews; Elmo C. Wilson, President of International Research Associates; Thomas J. Watson, Jr., President of International Business Machines Corporation; Willard W. Beatty, until recently Deputy Director of the Department of Education of UNESCO; and Milton S. Eisenhower, President of the Pennsylvania State University. Weekly round-table discussions together with the showing of special documentary and educational films on world problems made up the remainder of the institute program. Elton Atwater, associate professor of political science at the Pennsylvania State

University, was the general coordinator of the institute activities.

To bridge the gap between theory and practice in politics, the Ninth Annual Summer Forum in State and Local Government in Michigan was offered for graduate and undergraduate credit by the departments of secondary education and political science at Michigan State College, July 6-23, 1954. Sponsoring or cooperating groups for the forum included the Department of Public Instruction, the Michigan Institute of Local Government, the Michigan Municipal League, the Michigan Citizenship Clearing House, as well as Michigan's leading colleges and universities.

One hundred and twenty-five of Michigan's political and academic leaders served on panels to discuss current governmental affairs in Michigan. Topics discussed at the forum included: "Are states' rights threatened by the developments of the last two decades?" "What is being done to solve the 'fringe' area problems?" "Do we need to broaden the base of participation and financing of our political parties?" "How adequately is Michigan meeting the needs of education at the primary, secondary, and higher education levels?" "What is the role being played by the President's and Governor's Commissions on Intergovernmental Relations?" A special feature of the forum this summer was the participation of state, national, and local officials of the two national parties and interest groups to discuss party organization, nominations, elections, and lobbying in the afternoon sessions.

The first year of the Curriculum Development Project of the Northwestern University Political Science Department culminated with a conference on "A Search for the Relevant Political Concepts," which met for five days, June 15-19, 1954. Seven essays were prepared and distributed prior to the conference to persons attending. They were: "Power as a Political Concept," by Hans Morgenthau, University of Chicago; "A Decision-Making Approach to the Study of Political Phenomena," by Richard C. Snyder, Princeton University; "Some Aspects of Structural-Functional Analyses and Political Science," by Marion Levy, Princeton University; "Values in the Political Science Curriculum," by Dwight Waldo, University of California (Berkeley); "The Problem of Political Ideas," by Louis Hartz, Harvard University; "The Group in Political Science," by Charles B.

Hagan, University of Illinois; and "The Role of Public Law in Political Science," by Foster H. Sherwood, University of California (Los Angeles). Other persons attending the conference included: David Apter, Princeton University; Sidney Baldwin, Wesleyan University; Robert Dahl, Yale University; Willmoore Kendall, Yale University; Norton Long, Western Reserve University; Herbert McClosky, University of Minnesota; Paul W. Nitze, U.S. Department of State; E. E. Schattschneider, Wesleyan University; and David Spitz, Ohio State University.

Political scientists who served as consultants to the Northwestern University Curriculum Development Project during the year 1953-54 included Gabriel Almond, Princeton University; Harold Enarson, formerly of the White House staff and now Secretary to the Mayor of Philadelphia; Willmoore Kendall, Yale University; and Adam Watson, specialist in Central European and Near East affairs of the British Embassy staff in Washington, D. C. Mr. Kendall also spoke for political science in a symposium on "Social Determinants of Scientific Study"; other papers were by Professor A. C. Crombie of the University of London (on conditions surrounding the emergence of modern science), and by Professor C. Addison Hickman of North Carolina State College (on economics).—CHARLES S. HYNE-MAN.

A four-day Training Institute for Public Personnel Officers was held in Knoxville on the campus of the University of Tennessee, June 8-11, 1954, under the joint auspices of the Southern Regional Conference of the Civil Service Assembly and the Bureau of Public Administration, University of Tennessee. Fifty-one registrants from public personnel agencies in Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, Tennessee, and Virginia attended one or more of the institute sessions; the group included representatives of city, county, state, and federal agencies located in the southeast. The Institute was designed to provide an opportunity for staff members of public personnel agencies to learn more about their respective specialties and the relation of those specialties to the broader aspects of public personnel administration. Forbes E. McCann, Chief of Examinations and Recruitment, Personnel Department, City of Philadelphia, conducted a two-day session on methods and techniques of recruiting and examining, and Ismar Baruch,

Technical Advisor to the United States Civil Service Commission, presided during a similar two-day program devoted to position classification and pay administration. Richard O. Niehoff, Division of Personnel, Tennessee Valley Authority, led a discussion of the place of training in personnel and general management; J. Fred Ogburn, Jr., Director of Personnel, City of Richmond (Virginia), and E. B. Schultz, Chief, Labor Relations Branch, Division of Personnel, Tennessee Valley Authority, served as instructors during a discussion of the problem of employee relations. The institute culminated in a banquet at which Harry L. Case, Director of Personnel, Tennessee Valley Authority, delivered the principal address. The University of Tennessee presented appropriate certificates to those who participated in the institute.

The department of political science of Marshall College sponsored a workshop on "Revising the United Nations Charter," June 1-18, 1954. Professors Conley H. Dillon and Carl Leiden served as lecturers, with the former as director, and Professor Clyde Eagle-

ton of New York University was a special consultant. The workshop was attended by graduate students and teachers.

A Workshop in Practical Politics, sponsored jointly by the Washington State Citizenship Clearing House and the State College of Washington, was held on the State College campus on April 17, 1954. The workshop provided twenty leading students from the State College of Washington and six from the University of Idaho an opportunity to hear and talk to six political leaders from both political parties in the state. Assistant Professor Daniel M. Ogden, Jr. served as the director.

The Second Annual Institute on Management in Government and Business was held in Portland, Oregon, June 29, 1954. Assistant Professor Morton Kroll of the department of political science, University of Oregon, was in charge of developing plans for the program. Some thirty-five leaders from business, the federal government, and agencies of state and local government participated in the discussion of common problems of management.

OTHER ACTIVITIES

A Center for Middle Eastern Studies was established in the spring of 1954 at Harvard University for the purpose of integrating and reinforcing instruction in the languages, literatures, history, economics, and culture of the region extending from the eastern Mediterranean to the frontiers of India, with particular emphasis on the modern period. The director of the center is William L. Langer, Coolidge Professor of History, who will work with the Committee on Middle Eastern Studies, an advisory body representing not only various departments of the Faculty of Arts and Sciences but also specialized graduate schools like the Law School, the Littauer Center for Public Administration, the Graduate School of Business Administration, and the School of Public Health.

The function of the new center is to train specialists for academic and non-academic work in an area which has become increasingly important in world affairs and in which the interests and responsibilities of the United States have grown steadily since the end of World War II. The center provides: a Regional Studies Program for the Middle East, comparable to the Regional Studies programs

already in operation at Harvard University for the Soviet Union and for East Asia; joint programs for the Ph.D. combining one of the conventional fields, such as anthropology, economics, government, history, or Semitic languages and history, with Middle Eastern Studies; and a focal point for the planning and development of post-doctoral research in various problems of the modern Middle East.

The Johns Hopkins University School of Advanced International Studies in Washington, D. C. opened an overseas branch of the school in June, 1954. Through a cooperative arrangement with the University of Rangoon, the branch will be known as the Rangoon-Hopkins Center for Southeast Asian Studies. Under the arrangement with the University of Rangoon, a working library suited to the needs of the center will be provided, and a member of the faculty of the School of Advanced International Studies will serve as co-director of the center. The new center will provide opportunities for students from the school in Washington to carry on field study and research under effective supervision. Dr. William T. Phillips, professor of international

economics, is the first co-director and has a group of students from the school with him in Burma to organize the work of the center.

The School of Public Administration, University of Puerto Rico, has recently completed a translation program, sponsored by the Foreign Operations Administration, under which the following works on public administration have been translated into Spanish for use in Latin America: James D. Mooney, *The Principles of Organization*, rev. ed.; William E. Mosher, J. Donald Kingsley, and O. Glenn Stahl, *Public Personnel Administration*, 3rd ed.; and L. Urwick, *The Elements of Administration*.

Since May, 1953, chapters of Pi Sigma Alpha, the national political science honor society, have been installed at the following institutions: North Texas State College, University of New Hampshire, State University of Iowa, American University, Washington and Lee University, and Florida State University.

The Society for Personnel Administration recently announced the appointment of a Committee on Professional Standards composed of the following members: O. Glenn Stahl (chairman), U.S. Civil Service Commission; Mitchell Dreese, George Washington University; Catheryn Seckler-Hudson, the American University; Lloyd M. Short, University of Minnesota; E. Charles Woods, Bureau of the Budget; and Wilton H. Dickerson, U.S. Civil Service Commission. The purpose of the committee is to study the existing literature and to outline research needs for better definition of the nature of, and requirements for, entry and progress in the field of personnel management, both public and private.

During the past few months the National Municipal League sponsored a series of ten radio broadcasts entitled "Citizens at Work." The series dramatized over the National Broadcasting Company network citizen action for community betterment in cities competing in the All-America Cities contest, conducted annually by the League and *Look* magazine.

The Falk Foundation of Pittsburgh has granted \$105,000 to the Citizenship Clearing House for an intensified and expanded program to prepare college students for participation in political affairs. The grant provides for continued support to Citizenship Clearing

House activities at selected colleges and universities; a summer program of seminars and workshops, which will bring together teachers of political science, college administrators, and political leaders from the major parties; and the establishment of local affiliates, particularly in the South and Midwest.

The Social Science Research Council will offer in 1955 the several types of fellowships and grants awarded in the present year, and in addition plans to hold two institutes in mathematics for social scientists in the summer of 1955. A more detailed announcement of the following offerings is to be issued in October, and applications for most types of awards will be due soon after the first of January:

Research Training Fellowships, predoctoral and postdoctoral, for "more advanced research training than that which is provided in the usual Ph.D. program." All Ph.D. requirements except the thesis must be met before tenure of fellowship may begin, but application need not be deferred until that point has been reached.

Faculty Research Fellowships, providing half-time support for research for three-year terms. Open to college and university social science teachers, normally not over 35 years of age.

Grants-in-Aid of Research, to aid scholars of established competence in meeting direct expenses of their own research projects. Not open to candidates for degrees.

Undergraduate Research Stipends, open only to college juniors, for supervised research during the summer and the ensuing senior year. Some appointees will be granted first-year graduate study fellowships for the next year.

Institute in Mathematics for Social Scientists, eight-week sessions to be held during the summer of 1955. Open to predoctoral and postdoctoral students and younger faculty members in social sciences who wish to improve their mathematical competence. A limited number may receive stipends.

In addition to the fellowships and grants listed above, the Council will be able during the coming year to offer certain other types of assistance for study and research:

Interuniversity Summer Research Seminars will be supported on the basis described in Social Science Research Council ITEMS, March, 1954, pp. 4-6.

Summer Research Training Institutes will be organized if groups of social scientists indicate interest in intensive technical or interdisciplinary training in fields related to their

primary interests and experience. A description of this program was published in *ITEMS*, June, 1954, pp. 18-19.

Legal and Political Philosophy: The Council has assumed responsibility for continuing administration of a program of predoctoral and postdoctoral fellowships for advanced study and research in this field, which was inaugurated and administered last year by the Rockefeller Foundation.

History of American Military Policy: Grants may be made to support research on this nation's military policies and impinging factors, covering any period between 1750 and 1939 except the Civil War period. Applications for these special grants should be made before November 1. This program is described in *ITEMS*, June, 1954, pp. 14-15.

Inquiries should if possible be made early in the autumn, so that there will be ample time for preparation of definite applications before the closing dates. The address is: Social Science Research Council, 726 Jackson Place, N.W., Washington 6, D. C.

The American Association of University Women has announced twenty-seven fellowships to be offered to American women for advanced study or research during the academic year 1955-56. The amount of the fellowships ranges from \$2,000 to \$3,500. In general, the \$2,000 fellowships will be awarded to young women who have completed residence work for the Ph.D. degree or who have already received the degree; the \$2,500-\$3,500 awards will be made to the more mature scholars who need a year of uninterrupted work for writing and research. Applications and supporting materials must reach the office in Washington by December 15, 1954. For detailed information, write to the Secretary, Committee on Fellowship Awards, American Association of University Women, 1634 Eye St., N.W., Washington 6, D. C.

The Washington Semester program at the American University has been expanded by the addition of a third academic unit. Colleges and universities which have recently affiliated with the program are: Baldwin-Wallace College, Boston University, Hillsdale College, Hope College, Lewis and Clark College, Mary Baldwin College, Millikin University, Mills College, Muskingum College, Ohio Wesleyan University, Oklahoma Baptist University, Otterbein College, Pacific University, the University of the South, and Union University.

By action of the Board of Regents of the University of California, the social science building on the Los Angeles campus was named Charles Grove Haines Hall in honor of the former president of the American Political Science Association. Haines Hall, which will house most of the social science departments, became the new home of the political science department in April.

The Connecticut Society for Public Administration resumed activity on an expanded scale during the past academic year, sponsoring three one-day conferences that were widely attended by young careerists in public administration, graduate students, academic persons, and political officials. The topics were inter-governmental administrative relations, state-local fiscal relations, and public management-union relations. Professor Karl A. Bosworth of the University of Connecticut has served as secretary-treasurer; Professor Stephen K. Bailey of Wesleyan University, as vice-president, and the president has been William Sherman, Comptroller of the Town of Greenwich.

The Maurice and Laura Falk Foundation of Pittsburgh has granted \$30,000 to Goucher College for a three-year program designed to encourage and train college women for more active participation in politics. Brownlee Sands Corrin, assistant professor of political science, has been appointed field director for this program, to be administered by the department of political science under the chairmanship of Professor C. I. Winslow.

Frederick N. Cleaveland, associate professor of political science at the University of North Carolina, is currently directing a research project concerning the role of state governments in the conduct and support of scientific research and development. The study is being financed by the National Science Foundation and will focus upon six states: California, Connecticut, New Mexico, New York, North Carolina, and Wisconsin. In each of these states there is an intensive examination of the nature and scope of scientific research and development activities carried on or supported by state government agencies, an analysis of agency organization and procedures for planning and administering research programs, and a consideration of relevant state policies regarding scientific research. The project staff is made up of a research team in each of the six states. In addition to the project director, the senior research staff includes: Hubert

Marshall, department of political science, Stanford University; Elroy Lehmann, department of geology, Wesleyan University (Connecticut); Allan Richards, department of government and citizenship, University of New Mexico; Dean Clark Ahlberg, L.C. Smith College of Engineering; Guthrie Birkhead, the Maxwell School, Syracuse University; and Clara Penniman, Bureau of Government, University of Wisconsin. Dr. John C. Honey of the Program Analysis Office is representing the National Science Foundation in the design and planning of the research. Intensive field work was done during the summer of 1954, and the study is scheduled to be completed by June, 1955.

During the past academic year the department of political science at Northwestern University sponsored a series of discussions on the general topic, "The Nature and Uses of Theory in the Social Sciences." Papers were presented by spokesmen for the several social science departments of the University.

The University of Virginia has entered into a contract with the Department of State for a special program for ten Japanese graduate student-trainees in government for the academic year 1954-55. The project coordinator for the Japanese students will be John Gange, Director of the Woodrow Wilson Department of Foreign Affairs of the University of Virginia.

The Yale University Press has inaugurated a series of publications entitled Yale Studies in Political Science. *The Regulation of Businessmen*, by Robert E. Lane, assistant professor of political science at Yale University, is the first volume in the series. The editorial committee for the series consists of Frederick M. Watkins, chairman, Robert A. Dahl, and David N. Rowe. During 1953-54, Edward McWhinney served as editor of the series.

Professors John T. Holden, Robert B. Dishman, and David C. Knapp, of the department of government, University of New Hampshire, have been serving as consultants to the New Hampshire Commission to Recommend Reorganization of the Tax Structure.

Pedro Muñoz Amato, dean of the College of Social Sciences and director of the School of Public Administration, University of Puerto Rico, delivered a series of lectures on public administration at Tegucigalpa, Honduras, sponsored by the Honduran Ministry of Finance, during the last week of July. August

1-7 he lectured at the opening of the Central American School of Public Administration, which has been established in San José, Costa Rica, by the Technical Assistance Administration of the United Nations. He also attended a seminar on the teaching of the social sciences in Central American universities, sponsored by UNESCO and held at San José, Costa Rica, August 15-23.

Charles S. Ascher, of Brooklyn College, took part in a round table of the International Institute of Administrative Sciences at The Hague in July and in the International Congress of Comparative Law in Paris last August.

Professor Harold F. Alderfer, Director of the Institute of Local Government and professor of political science at the Pennsylvania State University, has been named as consultant to the Commission on Intergovernmental Relations and is participating in a study being conducted in South Carolina to show the impact of federal grant-in-aid programs on the state and local governments. Professor Alderfer was awarded an honorary Doctor of Laws degree by Parsons College, Fairfield, Iowa, at the June commencement in recognition of his outstanding contribution to state and local government both in the United States and abroad.

Wilfred E. Binkley, professor of political science at Ohio Northern University, is one of the two appointees of President Eisenhower to the twelve-member National Historical Publications Commission.

The personal records and semi-official correspondence of Ralph J. Bunche will be acquired by the library of the University of California (Los Angeles). Dr. Bunche graduated from UCLA in 1927.

Maurice G. Burnside, a former member of the department of political science at Marshall College, is the Democratic candidate for Congress in the Fourth Congressional District of West Virginia.

Robert P. Benedict, professor of government at Boston University, gave three lectures last July on American-European understanding in educational and cultural matters at the International Teachers' Conference, sponsored by the Centre Quaker International at Kastl Eerde, Ommen, Holland.

George I. Blanksten, of Northwestern University, spent the summer in Brazil as a member of a team of social scientists studying the

impact of technical assistance programs. Professor Blanksten was on leave from the University during the spring, summer, and fall of 1953 for work on the project, which is directed by Professor T. E. Schultz of the department of economics at the University of Chicago.

Lynton K. Caldwell, professor of political science at Syracuse University, recently completed an assignment for the University of Michigan as consultant in public administration to the Institute of Public Administration, University of the Philippines.

Thomas I. Cook, of the Johns Hopkins University, acted as consultant to the Commission on Intergovernmental Relations in Washington during the summer months.

Joseph Dunner, of Grinnell College, who spent the summer in Western Europe, was invited to address the Deutsche Politische Gesellschaft in Munich and the Dante Alighieri Society in Rome.

D. F. Fleming, research professor of international relations at Vanderbilt University, lectured during the past summer in the Fulbright Conference on American Studies at Cambridge University on postwar american foreign policy.

H. Duncan Hall attended as an observer the Commonwealth Parliamentary Conference and Council meetings held in August and September, 1954, in central Africa. He accompanied the members of Parliament from all parts of the Commonwealth on their tour of the territories from Kenya and Uganda to Southern Rhodesia.

Roy C. Macridis, of Northwestern University, attended the International Political Science Conference on Comparative Politics at the University of Florence in April, reading a paper on comparative politics and political science. Professor Macridis visited several European and English universities after the conference.

M. Nelson McGeary, of the department of political science, Pennsylvania State University, was elected president of the Pennsylvania Political Science and Public Administration Association. His choice for the two-year term of office was made at the annual meeting of the association held in Harrisburg in April.

Charles A. Micaud, associate professor of political science at the University of Virginia,

spent the summer in France doing research on communism under a Rockefeller Foundation grant.

Hans J. Morgenthau, professor of political science at the University of Chicago, lectured at the Salzburg Seminar in Austria during the summer session.

Mark Neuwelt, of Western Reserve University, has been awarded a research fellowship by the Ford Foundation to make a study of the central organization of the Communist Party of the Soviet Union. On leave from Western Reserve, he will spend most of 1954-55 at Harvard University.

Benjamin Rivlin, of Brooklyn College, spent the summer in France and French North Africa studying Franco-Moslem relations under a grant-in-aid of the Social Science Research Council.

Wallace S. Sayre, of Columbia University, was awarded an honorary Doctor of Laws degree in June by Marshall College.

Paul D. Stewart, associate professor of political science at Marshall College, is a candidate for the Huntington Municipal Council.

William S. Stokes, professor of political science at the University of Wisconsin, will be one of the North American participants in the Conference on Responsible Freedom in the Americas, organized by Columbia University, October 25-30, 1954.

Ronald M. Stout, associate professor of political science at Colgate University, was engaged during the summer in the collection of cases for the teaching of public administration to undergraduates. Under a research grant from Colgate University, he gathered material in Albany and New York City.

Albert L. Sturm, professor of political science at West Virginia University, was a consultant to the Task Force on Water Resources and Power, Hoover Commission, during the summer.

Egbert S. Wengert, professor of political science at the University of Oregon, has been serving as a member of a constitution committee appointed by the governor and the legislature to determine whether major constitutional revision is required in Oregon.

APPOINTMENTS AND STAFF CHANGES

John Clarke Adams has been granted a two-years' leave of absence from the University of Buffalo to serve as professor of public administration at the American University of Beirut and to act as director of the newly established in-service training program in public administration for Arab government officials.

Henry M. Alexander, of the University of Arkansas, was a visiting professor of political science at the University of Missouri during the 1954 summer session.

David Apter, who recently received the Ph.D. degree at Princeton University after completing extensive field research in the Gold Coast, West Africa, has accepted an appointment as assistant professor of political science at Northwestern University.

Robert S. Avery returned to the University of Tennessee in September after a years' leave of absence.

Stephen K. Bailey, formerly of Wesleyan University, has been appointed director of the graduate program of the Woodrow Wilson School of Public and International Affairs at Princeton University. He will hold the William Church Osborn Professorship of Public Affairs.

Sidney Baldwin, who completed his work for the Ph.D. degree at Syracuse University while serving as a member of the faculty of Wesleyan University, has accepted an appointment as instructor of political science at Northwestern University.

William M. Beany, assistant professor of politics at Princeton University, has been granted a leave of absence for 1954-55.

Paul Beckett has been promoted to professor of public administration at the State College of Washington.

George A. Bell has been appointed predoctoral instructor in political science at the University of Michigan.

Fredrick T. Bent has been appointed chairman of the department of public administration at the American University of Beirut.

Marver H. Bernstein has been promoted to the rank of associate professor in the department of politics, Princeton University.

Donald C. Blaisdell has been appointed

visiting professor of political science at Wellesley College for 1954-55.

Charles Blitzer has been promoted to the rank of assistant professor of political science at Yale University. He has been awarded a research grant by the Rockefeller Foundation and is on leave of absence during 1954-55 to conduct research in England on the idea of property in the 17th and 18th centuries.

Virgil C. Blum has joined the department of political science at Creighton University as an instructor.

Henry L. Bretton has been promoted to the rank of assistant professor of political science at the University of Michigan.

Richard G. Brown, Military Intelligence Research Specialist, Office of Assistant Chief of Staff, Department of the Army, has been advanced to the rank of professorial lecturer in political science in the department of political science and public administration at the American University.

George P. Bush has been promoted to the rank of professor in the department of political science and public administration at the American University.

Robert K. Carr, of Dartmouth College, was a visiting professor at Columbia University during the 1954 summer session.

H. Paul Castleberry, who has been on leave of absence as a Fulbright lecturer in Egypt, has been promoted to associate professor of international relations at the State College of Washington.

Chen Kin Cheng, associate professor of political science at the University of Hawaii, was a visiting member of the faculty at the University of North Carolina during the 1954 summer session.

Harwood L. Childs resumed his duties as professor of politics at Princeton University in September after spending the past year in Brazil.

Sven Christian Clausen, professor of law at the University of Copenhagen and distinguished playwright, is a Whitney-Fulbright visiting lecturer at the University of North Carolina during the fall semester.

Winston W. Crouch, of the University of California (Los Angeles), has received a Fulbright award to spend the 1954-55 academic year in New Delhi, India.

Robert Dahl, of Yale University, taught at Northwestern University during the 1954 summer session.

James F. Davidson has been appointed to an assistant professorship in political science at the University of Tennessee.

Claude J. Davis has been appointed to an instructorship in political science at the University of Tennessee for the year 1954-55.

W. Phillips Davison, associate of the Rand Corporation, has been promoted to the rank of professorial lecturer in political science in the department of political science and public administration at the American University.

David Derge, formerly a graduate teaching assistant at Northwestern University, has accepted an instructorship in political science at the University of Missouri.

Karl W. Deutsch, of the Massachusetts Institute of Technology, was a visiting professor in the department of political science at the University of Chicago during the summer quarter, 1954.

Gottfried Dietze has accepted an appointment as assistant professor of political science at the Johns Hopkins University, beginning in September, 1954.

Robert B. Dishman is serving as acting chairman of the department of government at the University of New Hampshire during the current academic year.

Jean Driscoll, formerly a member of the faculty of the University of Wisconsin in Milwaukee, is serving as research associate in connection with the Curriculum Development Project of the Northwestern University political science department.

Stephen Early, Jr., formerly of the University of Virginia, has been appointed assistant professor of political science at DePauw University.

William Ebenstein, professor of politics at Princeton University, was visiting professor of political science at the University of Michigan during the summer of 1954.

Samuel J. Eldersveld, of the University of Michigan, has been granted a Fulbright fellowship to the Netherlands and will be on sabbatical leave for the academic year 1954-55.

Russell R. Elliott has been promoted to associate professor of history and political science at the University of Nevada.

Alona E. Evans is on leave of absence during 1954-55 from Wellesley College to study the status of political asylum in international law.

R. Barry Farrell has been promoted to the rank of assistant professor of political science at Yale University. He spent the summer of 1954 in Europe as the recipient of the Blanche Elizabeth MacLeish Billings Memorial Award.

Russell H. Fifield has been promoted to the rank of professor of political science at the University of Michigan. He returned to Ann Arbor in September after a years' leave spent in research in Southeast Asia.

Wesley R. Fishel has been promoted to the rank of associate professor of political science at Michigan State College. He will continue as assistant director of the Governmental Research Bureau.

Russell H. Fitzgibbon, professor of political science at the University of California (Los Angeles), taught in the summer session at the University of Nebraska.

Peter J. Fliess, of Louisiana State University, has been promoted to associate professor of government, effective September, 1954.

Alexander George, associate of the Rand Corporation, has been promoted to the rank of professorial lecturer in political science in the department of political science and public administration at the American University.

Louis L. Gerson has been promoted to assistant professor in the department of government and international relations at the University of Connecticut.

Charles Gilbert, a member of the staff of Senator Hubert H. Humphrey of Minnesota while writing his thesis for the Ph.D. degree at Northwestern, has accepted a position in the political science department at Oberlin College. During the second semester of 1953-54, Mr. Gilbert was an instructor at Swarthmore College.

Gilbert F. Gilchrist, who received his Ph.D.

degree from the Johns Hopkins University in June, 1954, is spending the present year in England on a Fulbright fellowship.

William Goodman is on leave from the University of Tennessee during the fall quarter of 1954 to teach at Vanderbilt.

George Grassmuck, formerly assistant professor of political science at UCLA, has been appointed associate professor of public administration at the American University of Beirut.

Raymond H. Gusteson has been advanced to the rank of associate professor in the department of government at Ohio University, Athens, Ohio.

Randy H. Hamilton, Washington Director of the American Municipal Association, has been promoted to the rank of professorial lecturer in public administration in the department of political science and public administration at the American University.

Robert J. Harris has resigned as professor and head of the department of government at Louisiana State University to accept an appointment as professor of political science at Vanderbilt University, effective September 1, 1954.

Lashley G. Harvey returned to Boston University and the chairmanship of the government department on September 1 after a year's leave, which he spent at the Public Administration Institute for Turkey and the Middle East, Ankara, Turkey.

Lowell H. Hattery has been promoted to the rank of professor in the department of political science and public administration at the American University.

Jerzy Hauptmann, chairman of the political science department at Park College, has been promoted to the rank of associate professor.

Carroll Hawkins, associate professor of political science at Michigan State College, began a year's sabbatical leave on September 1, 1954.

John T. Holden, chairman of the department of government at the University of New Hampshire, is spending the present academic year as a Fulbright lecturer in public administration and political theory at Chulalonghorn University in Bangkok, Thailand.

David Horton, of Westminster College, was a visiting professor of political science at the University of Missouri during the 1954 summer session.

Philip E. Jacob has been promoted to professor of political science at the Wharton School, University of Pennsylvania. Professor Jacob is Director of the Summer School and the College Collateral Courses.

Judith Norvell Jamison, who has been awarded a fellowship by the Haynes Foundation, is on a year's educational leave of absence from the Bureau of Governmental Research, University of California (Los Angeles).

Philip Jessup, of Columbia University, was visiting professor during the summer session at the University of Hawaii.

Franklyn A. Johnson, chairman of the Division of Human Relations, Rollins College, has been named state director of the Florida Citizenship Clearing House which was activated on May 15 at Rollins College.

George McTurnan Kahin has been promoted to an associate professorship in government at Cornell University, effective July 1, 1954.

Robert F. Karsch has been advanced to professor of political science at the University of Missouri.

John H. Kautsky, recently a research associate at the Center for International Studies, Massachusetts Institute of Technology, has been appointed visiting assistant professor of government at the University of Rochester.

John Kerry King, of the University of Virginia, is on leave during 1954-55. He has been awarded a Carnegie research fellowship for research at the Council on Foreign Relations in New York.

Hans F. Kirchberger retired in June from his position as political science lecturer in the University of Wisconsin Extension Division.

Marshall Knappen, of the University of Michigan, has been granted a sabbatical leave for the year 1954-55.

Alan A. Kuusisto has been promoted to associate professor of government at the University of New Hampshire. He returned recently from Finland where he spent the past year as a Fulbright scholar.

Lionel H. Laing, professor of political science at the University of Michigan, will be absent on sabbatical leave during this academic year in order to visit parts of the Commonwealth. He sails from Vancouver in October for New Zealand and Australia.

Robert E. Lane has been reappointed to a second three-year term as assistant professor of political science at Yale University. He resumed his duties this fall after a year's leave of absence on a fellowship of the Ford Foundation Fund for the Advancement of Education and membership in the Summer Seminar in Political Behavior Research sponsored by the Social Science Research Council at the Survey Research Center, University of Michigan.

Harold D. Lasswell, professor of law and political science at Yale University, has been granted leave of absence for 1954-55 to serve on the staff of the Institute of Behavioral Sciences at Palo Alto.

Arnaud B. Leavelle has been promoted to professor of political science at Stanford University.

Luke Lee, recently of the Fletcher School of Law and Diplomacy, is teaching courses in comparative government this year at the St. Lawrence University.

Gordon K. Lewis, who received his Ph.D. in government from Harvard University in June, 1954, has been appointed associate professor of political science at the University of Puerto Rico.

John D. Lewis, of Oberlin College, served as visiting professor at Columbia University during the 1954 summer session.

Kenneth Lindsay, former member of Parliament and former Minister of Education in England, has been appointed visiting professor of political science for the spring term 1954-55 at the University of Oregon.

George A. Lipsky, recently assistant professor of political science at the University of California (Berkeley), is serving during 1954-55 as visiting lecturer in political science at Yale University.

John J. Logue, who taught at the University of Notre Dame during 1953-54, has been appointed instructor in government at Fordham.

Norton E. Long, of Western Reserve University, was visiting professor of political

science at the University of Michigan during the summer of 1954.

S. Gale Lowrie retired in June, 1954 from his position as professor and head of the department of political science at Cincinnati.

Clay P. Malick is serving as chairman of the department of political science at the University of Colorado during the absence of Professor Leo C. Riethmayer.

Gerard J. Mangone will be on leave from Swarthmore College for the academic year 1954-55 as a Fulbright scholar at the University of Padua in Italy.

Conrad L. McBride, formerly an instructor at Pomona College, has been appointed instructor in political science and research associate in the Bureau of State and Community Service, University of Colorado.

Daniel S. McHargue, assistant professor of political science at the University of Michigan, has been assigned to the Institute of Public Administration, University of the Philippines for 1954-55.

Joseph E. McLean, associate professor in the department of politics at Princeton University, has been named Commissioner of Conservation and Economic Development for the State of New Jersey.

Douglas H. Mendel, formerly teaching fellow at the University of Michigan, has been appointed instructor in political science at the University of California (Los Angeles).

Wallace Mendelson resumed his regular duties as professor of political science at the University of Tennessee in September after a year's leave of absence.

Edmund C. Mester, recently on the staff of the United States Military Academy, is teaching at the University of Cincinnati during the current academic year.

Edward W. Mill, formerly of the State Department and Princeton University, has accepted an associate professorship in government at the University of Hawaii.

John H. Millett, assistant professor of government at the University of Rochester, has been granted a year's leave of absence to study the role of interest groups in British political life under a Ford Foundation fellowship.

Emmet V. Mittlebeeler has been appointed assistant professor in the department of political science and public administration at the American University. Dr. Mittlebeeler, who has been the professional assistant to Representative John M. Robsion, Jr., will serve as the academic director of Unit III of the Washington Semester Program.

George E. Moore, of Fairmont State College, was a visiting member of the department of political science at West Virginia in the 1954 summer session.

Rodney L. Mott, Director of the Division of Social Science at Colgate University, has been appointed visiting professor at the University of Kyoto in Japan for the autumn term of the current academic year. Professor Mott will be on leave of absence from Colgate University until February 1, 1955. During the summer, as director of the Kyoto American Studies Seminar, sponsored by the University of Illinois, he conducted an intensive seminar on American constitutional law for graduate students and for professors of law and political science at Japanese universities.

James N. Murray, Jr., formerly of Northwestern University, has been appointed to a full-time instructorship in political science at the State University of Iowa.

Ivan G. Nagy, who has been awarded a fellowship by the Fund for Adult Education to enable him to study methods for securing adult participation in the study of international relations, is on leave during 1954-55 from the University of Oregon.

Fred Warner Neal, formerly visiting lecturer in political science at the University of Michigan, is in Yugoslavia on a research project for the American Universities Field Staff. In connection with this project he also has a grant from the American Philosophical Society.

W. Grafton Nealley has been advanced to a full professorship in government at Adelphi College.

Franz Neumann, on leave from Columbia University during 1953-54, was visiting professor at the Free University of Berlin during the spring semester under an exchange program between Columbia and Stanford Universities and the Free University, sponsored by the Ford Foundation.

Robert G. Neumann is on leave from the University of California (Los Angeles) to

spend the year at the Universities of Bordeaux and Strasbourg under a Fulbright award.

Sigmund L. Neumann returned to Columbia University in September as visiting professor of government.

Richard E. Neustadt has been appointed assistant professor of government in Columbia College.

Gerhart Niemeyer, of the Council on Foreign Relations, has accepted a part-time appointment as visiting lecturer at Yale University for the current academic year to teach courses in international organization.

Clark F. Norton, professor of political science at DePauw University, was a visiting professor at West Virginia University during both terms of the 1954 summer session.

Fritz Nova has been appointed associate professor of history and political science at Villanova University.

Vincent Ostrom has been advanced to an associate professorship in political science at the University of Oregon. He has been awarded a faculty research fellowship by the Social Science Research Council which will enable him to devote half of his time during the next three years to a study of the process of public policy formation.

Louise Overacker is on leave from Wellesley College to continue a study of labor parties in England.

Saul K. Padover, of the New School for Social Research, is teaching part time at Columbia University during 1954-55.

Thomas W. Palmer, Jr., who has completed tours of duty with a Point-Four economic development commission in Brazil and with the Central Intelligence Agency in Washington, has accepted an appointment beginning September 1, 1954, as Coordinator of Latin American Studies at Boston University.

Cheryl Petersen has been appointed to the staff of the department of political science at Wellesley College.

Claude S. Phillips, Jr., who has recently completed his doctorate at Duke University, has been appointed to an instructorship in the department of political science at the University of Michigan.

Rollin B. Posey, of Northwestern University, is a visiting professor at the University of

Puerto Rico during the first semester of 1954-55 and is teaching courses in public administration and government and business.

Lawrence Preuss, of the University of Michigan, has been appointed visiting professor of political science at the University of California (Berkeley) for the year 1954-55.

James Prothro, associate professor of political science at the Florida State University, is on leave of absence during 1954-55 to study at Columbia University under a Ford fellowship.

Henry Reining, Jr., Dean of the School of Public Administration, University of Southern California, has accepted an appointment with the University of Michigan to serve for three months as consultant in public administration to the Institute of Public Administration, University of the Philippines.

Leo C. Riethmayer is on leave of absence from the University of Colorado until June, 1955, to serve as professor of public administration in the Institute of Public Administration, University of the Philippines.

Elston Roady has been promoted to associate professor of political science at the Florida State University.

Charles I. Robertson, instructor of politics at Princeton University, has received an appointment as instructor in the department of government at Smith College.

Howard M. Roelofs has been advanced to assistant professor of government at Cornell University.

Arnold A. Rogow, of the department of political science, State University of Iowa, is spending the academic year 1954-55 as a fellow at the Center for Advanced Study in the Behavioral Sciences at Palo Alto, California.

John H. Romani, formerly research fellow, Institute of Public Administration, University of the Philippines, has been appointed predoctoral instructor in political science at the University of Michigan.

Clinton L. Rossiter has been promoted to professor of government at Cornell University.

Joseph S. Roucek, of the University of Bridgeport, spent the summer as visiting professor of education at the University of Oregon.

Francis E. Rourke has accepted an appointment as assistant professor of political science

at the Johns Hopkins University, beginning in September, 1954.

David N. Rowe, professor of political science at Yale University, is on leave of absence during 1954-55 to serve as the Taiwan (Formosa) representative of the Committee for Free Asia.

Dankwart A. Rustow returned in September from a year in Turkey and the Near East to resume his duties as assistant professor of politics at Princeton University.

Wallace S. Sayre has joined the department of public law and government at Columbia University as professor of public administration.

Warner R. Schilling will be at Columbia for the academic year 1954-55, dividing his time between the Institute for War and Peace Studies and lecturing in the government department at Columbia College.

Charles P. Schleicher, on sabbatical leave from the University of Oregon this year, is a Fulbright lecturer at Allahabad University in India.

John R. Schmidhauser, of the University of Virginia, has been appointed to a full-time instructorship in political science at the State University of Iowa.

Carl J. Schneider has been advanced to associate professor of political science at the University of Nebraska.

William E. Scott has been appointed to an instructorship in political science at Yale University.

Chandler Shaw, professor of history and political science at Bethany College, was a visiting professor in the 1954 summer session at West Virginia University.

Wilbur S. Shepperson, who has been awarded a Commonwealth Fund fellowship, is on leave from the University of Nevada during the academic year 1954-55.

Foster H. Sherwood, of UCLA, taught in the 1954 summer session at Northwestern University.

Donald V. Smiley, formerly a graduate teaching assistant at Northwestern University, has accepted an instructorship in political science at Queen's University, Kingston, Canada.

Frank J. Sorauf, instructor in political science at the Pennsylvania State University,

served as a research associate for the Secretary of State in Madison, Wisconsin, during the summer months.

James R. Soukup, graduate student in political science at the University of Michigan, has been granted a Fulbright fellowship to Japan (Keio University) for the year 1954-55.

Edmund F. Spellacy, of the department of government, University of Hawaii, has been appointed by the Governor of Hawaii to the Commission on the Organization of the Administrative Branch.

Wladyslaw J. Stankiewicz has been appointed visiting research fellow at the Center of International Studies, Princeton University.

Murray S. Stedman resumed his teaching duties at Swarthmore College and became acting chairman of the department of political science in September after a leave of absence with UNESCO in Paris.

Richard W. Sterling, formerly of Yale University, is a teaching intern under the Ford Foundation in the department of government at Dartmouth College.

John G. Stoessinger has joined the department of political science at Wellesley College.

Leo Strauss, of the University of Chicago, is a visiting professor at the Hebrew University in Israel during the 1954 academic year.

K. Thor Swanson has been appointed to an instructorship in political science at the State College of Washington.

Carl B. Swisher resumed his duties as chairman of the department of political science at the Johns Hopkins University in September after a year's leave of absence.

James D. Teller, Civilian Chief, Standards Branch, Directorate of Personnel Planning, Department of the Air Force, has been promoted to the rank of adjunct professor of public administration in the department of political science and public administration at the American University.

Kenneth Thompson has been granted a continuation of his leave from Northwestern University to permit him to remain on the staff of the Rockefeller Foundation during the year 1954-55.

John S. Thomson, assistant professor of po-

litical science at the University of Wisconsin, has been granted a foreign study and research fellowship by the Ford Foundation for a year's work in Burma.

John A. Toomey, who did his graduate work at the New School for Social Research, has been appointed instructor in social studies at Windham College, Putney, Vermont.

John Turner, of the University of Minnesota, spent the summer in England where he did research on the internal organization and dynamics of the Labor party.

Vernon Van Dyke, of the State University of Iowa, has been promoted to the rank of full professor, effective July 1, 1954.

Harold M. Vinacke has been appointed head of the department of political science at the University of Cincinnati.

Robert A. Walker has been advanced to a full professorship in political science at Stanford University.

Lawrence C. Wanlass, assistant professor of political science at Mount Holyoke College, has been granted a Fulbright award. He will spend the year at the University of the Philippines in Manila where he will study the theory and practice of communism in Southeast Asia.

Robert E. Ward has been promoted to the rank of associate professor of political science at the University of Michigan. He will continue as assistant director of the Center for Japanese Studies at the University of Michigan.

Henry Wells, visiting lecturer in the School of Public Administration, University of Puerto Rico, during the academic year 1953-54, has been appointed associate professor and chairman of the political science staff, University of Puerto Rico.

John E. Westburg, formerly of the University of Southern California, has been appointed research assistant to the Legislative Counsel, in the Legislative Counsel Bureau of Nevada.

Troy R. Westmeyer, assistant professor of government, has been granted partial leave from Boston University for the first semester 1954-1955 to serve as Executive Director of the Massachusetts Fiscal Survey Commission.

John P. White, who received his Ph.D. from the University of Chicago in 1953 and who has

been employed by the Navy Department, has been appointed to an instructorship in the department of political science at the University of Michigan.

Ruth Widmayer has been appointed assistant professor of political science at the University of Oregon.

René de Visme Williamson, formerly of the University of Tennessee, has been appointed professor and chairman of the department of government at Louisiana State University, effective September, 1954.

George L. Willis has been appointed assistant professor of political science at the University of Cincinnati.

William R. Willoughby is on leave from the St. Lawrence University during 1954-55 to do research at the Institute for Advanced Study, Princeton University.

Hubert H. Wilson, associate professor of politics at Princeton University, is on leave during the first term of 1954-55.

Daniel Wit, of the University of Cincinnati, has been appointed visiting professor of political science at the University of Michigan for the year 1954-55.

Roland Young, of Northwestern University, was a visiting professor at Harvard University during the 1954 summer session.

William H. Young has been appointed budgetary assistant to the president of the University of Wisconsin. He will continue to serve half time in the department of political science.

I. William Zartman taught in the summer session at the Johns Hopkins University.

Paul E. Zinner is a visiting assistant professor of government at Columbia University during the 1954-55 academic year.

IN MEMORIAM

Waldemar Gurian died of a stroke in South Haven, Michigan, on May 26, 1954, at the age of fifty-two. He had suffered repeated illnesses in the last two years and had gone to the vacation resort after a research leave of absence in Germany.

He was born in St. Petersburg (Leningrad), Russia. Although some reference books and many obituary notices described him as a convert to Catholicism, he was baptized in that Church as a child. Russian origin and Catholicism provide fundamental clues to his thought and outlook. This religious bridge with the West was made through his mother, who moved to Germany before World War I. During the war years he was educated at the Collegium Albertinum, a Dominican school in Venlo, Holland. Later he attended the Hohenzollern Gymnasium at Dusseldorf.

His university work at Berlin and Cologne, done under such teachers as Max Scheler, culminated in his doctoral thesis on the German Youth Movement. With his doctorate he had an almost medieval sense of being a member of the academic world, perhaps, as it were, an ex-officio member of the world's universities. A powerful mind, voracious reading, an almost universal curiosity, and a remarkably retentive memory enabled him to discourse professionally with his colleagues in almost all the humanities.

At the same time he was wholly free from the erudite provincialism of the academic specialist. His generous concern for important issues and titanic impatience with the petty questions from which academicians sometimes make their claims to originality were expressed in equally unforgettable fashion. He had, and not accidentally, a journalist's sense of urgency. The work of the journalist, or better, publicist, helped him to carry on enormous learning without a trace of pedantry. Between 1923 and 1937 he acted mainly as a free-lance writer. In 1923-24 he was night-editor of the *Koelnische Volkszeitung*, the greatest Catholic newspaper of the Rhineland. Thereafter he remained on the staff, reviewing books in a spirit which belied his *nom de plume*, Hoplite.

Between 1929 and 1931 he published his major works (in German), *The Political and Social Ideas of French Catholicism, 1789-1914* and *Bolshevism: Theory and Practice*. The latter, translated into many languages, is one of the basic books of modern scholarship for the understanding of Soviet Communism. On the latter subject he wrote a multitude of books and articles, of which mention may be made of *Bolshevism: An Introduction to Soviet Communism* (1952) and his contribution to the Arden House Conference (1954) on the concept of *Partijnost* (Party-mindedness). The work on French Catholicism grew out of his permanent

interest in Lammenais and in the general field of Church history. For many years he was committed to writing a history of the Church in the modern world. But he published only some articles on Lammenais and Louis Veillot, on French integral nationalism, a book on *Hitler and the Christians*, and a collaborative volume, *The Catholic Church in World Affairs* (1954).

The accession of Hitler to power caused him and his family (wife and daughter) to seek refuge in Switzerland (1934). There, in difficult financial conditions, he edited with Otto Knabe *Deutsche Briefe* (1934-1937), a mimeographed weekly designed to point out the hideous nihilism of Hitler's movement, and the editors took special pains to deliver their paper to the German Catholic bishops.

In 1937, Gurian came to Notre Dame where he remained until his death. He became an American citizen in 1943 and professor of political science in 1944. At Notre Dame he was an indefatigable promoter of lectures, discussions, and research projects. Under his editorship *The Review of Politics*, a quarterly, began publication in 1939. This journal, primarily interested, as its editorial page proclaims, "in the philosophical and historical approach to political realities," is his most characteristic achievement. In later years Gurian headed the Notre Dame Committee on International Relations, established (1949) with the help of a grant from the Rockefeller Foundation, and organized the Center for Eastern European and Soviet Studies, with the help of a grant from the Ford Foundation. In 1950 he was president of the Catholic Historical Association. His death leaves an empire of functions and jobs to his successors. His colleagues will long miss his stimulation, encouragement, and challenges, and, in particular, the fruits of his long reflection on the problem of morals and power.—MATTHEW A. FITZSIMONS.

Charles C. Rohlfling died on April 3, 1954, at the age of 52. He graduated from the University of Pennsylvania in 1923 and became an instructor in the political science department the following year. He received the degree of Doctor of Philosophy at Pennsylvania in 1930 and the degree of Bachelor of Laws at Temple University in 1934. He was made professor of political science in 1940 and served as chairman of the political science department from 1937 to 1949.

Professor Rohlfling was a student of government who conceived his obligations to extend

widely into the arena of public affairs. There is space to chronicle only a few of the more important responsibilities he accepted. From 1943 to 1952 he was a member of the Executive Committee of the Greater Philadelphia Movement, an influential organization for civic betterment including in its membership leaders from many sides of Philadelphia life. As chairman of its Legal Affairs Committee, he played a leading part in establishing Philadelphia's new home-rule charter.

He served on two committees appointed by the Governor of Pennsylvania—one to investigate alleged disfranchisement of voters, the other to investigate the affairs of the Philadelphia Registration Commission. For a period of eight years he was a member of the Board of Supervisors of Middletown Township, Delaware County, Pennsylvania.

Professor Rohlfling gave his time generously to a wide variety of private enterprises which sought his aid and counsel. He was active in the local chapter of the American Association of University Professors, serving as its president in 1945-46. The National Foundation for Education and Citizenship named him to its Executive Committee. He was also a member of the Executive Committee of the Pennsylvania Public Charities Association.

Professor Rohlfling received the professional recognition of his colleagues. He was a member of the Executive Council of the American Political Science Association from 1944 to 1947 and of the Board of Editors of the *American Political Science Review* from 1946 to 1949. For three years he served as president of the Pennsylvania Political Science and Public Administration Association.

In addition to many articles, he wrote *National Regulation of Aeronautics*, and was co-author of *Business and Government*, *The American Government and Its Work*, and *A Survey of Pennsylvania*.

Professor Rohlfling moved without ostentation and with gentleness among the many concerns and associations of his academic and public-oriented life, exercising a sure influence on the side of peace and wisdom. His generous spirit in the affairs of the University of Pennsylvania and the wider community in which he labored will be missed by many.—JOHN PERRY HORLACHER.

Roger Vernon Shumate, professor of political science at the University of Nebraska, died unexpectedly in Lincoln, May 22, 1954, two months after his fifty-fourth birthday. Profes-

sor Shumate received his bachelor's and master's degrees at the University of California at Berkeley and his doctorate at the University of Minnesota in 1933. He served as instructor in political science at the University of Cincinnati from 1929 to 1931, at the University of Minnesota from 1931 to 1933, and at the University of Pittsburgh from 1933 to 1937. Before entering college he had served a year in the Navy and a year in the United States Merchant Service. He joined the department of political science at the University of Nebraska as an associate professor in 1937 and became a full professor in 1944.

In his seventeen years at Nebraska, Professor Shumate really had two careers—teaching and service with the state government. Within a few months of his arrival in Nebraska he was named Director of Research for the newly organized Legislative Council. In this capacity he supervised the preparation of a very large number of studies for the legislature and traveled widely over the state in connection with committee and sub-committee hearings on matters before that body. In less skilled hands the post of Director of Research might easily have become political in the derogatory sense of the word. With rare insight and acumen Professor Shumate prevented that sort of development, so that at his death the agency which he headed enjoyed the respect not only of the legislators for whom and with whom he worked, but also of the executive branch of the state government and of his university col-

leagues. His research reports, although they did not enjoy wide circulation outside the state, were models of careful investigation and balanced presentation. In the course of his work for the legislature he acquired an unrivaled knowledge of the government of the state and its local units, as well as of the imponderables of politics and administration. In the opinion of his colleagues his service to the state government added greatly to his effectiveness as a teacher, bringing to life by apt and concrete illustration the abstractions of books.

Professor Shumate's work as a teacher was in the fields of political parties and public law. He was thorough and systematic and held his students to high standards of performance quite in keeping with the discipline which he vigorously imposed upon himself. Although for much of the time he was under the heavy pressure of his duties at the state capitol, Professor Shumate discharged with admirable conscientiousness his teaching obligations. During the last five years of his life he added to his teaching service two important university committees. For four years he was chairman of the Committee on University Publications and for two years was a member of the Committee on Student Affairs, both burdensome assignments which he discharged with great efficiency and fidelity. In his premature death the state and the university have lost a valuable public servant and his colleagues a loyal friend.—LANE W. LANCASTER.

CORRESPONDENCE CONCERNING THE TREATMENT OF ADMINISTRATIVE LAW IN PUBLIC ADMINISTRATION TEXTBOOKS

[Editor's Note: The correspondence below relates to the section entitled "Misinformation about Administrative Law" in Professor Kenneth Culp Davis' "Some Reflections of a Law Professor about Instruction and Research in Public Administration," this *REVIEW*, Vol. 47, pp. 728-52, at pp. 739-48 (Sept., 1953). See also Vol. 48, pp. 174-85, especially at p. 185. (March, 1954).]

TO THE EDITOR:

As Professor Kenneth Culp Davis points out in the March, 1954 issue of the *REVIEW*, that part of his September, 1953 article which he feels "may be the most important," namely, the part entitled "Misinformation about Administrative Law," remains unanswered. It will be recalled that in his article Professor Davis, drawing upon his experience as a law teacher and textbook writer, analyzed the contents of the textbooks in public administration which contain substantial discussions of administrative law and concluded that "the proportion of misinformation is exceedingly high." In the statement of March, 1954, Professor Davis added: "Furthermore, some of the misinformation has been so much repeated in political science literature, one writer citing another, that many readers may be reluctant to believe that it is misinformation."

Let us examine some of the misinformation which Professor Davis attributes to our colleagues by reviewing half of the half dozen criticisms he makes of the public administration textbook which he calls "Book 1."

The first example of misinformation quoted by Professor Davis and then refuted by him at length is the following sentence from Book 1: "In the United States there is no legal limit upon the right of courts to review the decisions of administrative tribunals." This happens to be the opening sentence of a whole chapter on judicial review of administrative action, and one does not have to read this chapter to realize that Professor Davis is criticizing this sentence out of its context. For example, Professor Davis, himself, shortly quotes the following additional sentence from Book 1: "As a general rule, courts attempt to

distinguish between questions of law and fact by reviewing the former and not the latter."

The last sentence is quoted from Book 1 by Professor Davis as another piece of misinformation, because, he explains, "under the dominant doctrine the courts review findings of fact to the extent of determining whether they are supported by substantial evidence." This is, however, the very point Book 1 itself makes in a qualifying sentence located only one sentence removed from the allegedly wrong sentence, but one which Professor Davis failed to quote. The omitted sentence reads: "In findings of fact, however, the rule prevails that there must be evidence sufficient to support the decision."

Another of Professor Davis' quotations from Book 1 is the following: "the courts normally will refuse to interfere with immigration orders for deportation." Professor Davis calls this "plainly false," because "in many hundreds of cases the courts have interfered; the review of deportation orders makes up a large portion of all review of federal administrative action." Political scientists who write on this question (including the author of Book 1, as will shortly appear) are more precisely aware than this of the extent of judicial review in deportation cases. They know, for example, that no more than 30 out of over 300 deportation cases acted on by the federal courts in 1951-1952 were won by those threatened with deportation, and that the courts are thus "normally" so hesitant to interfere with deportation orders that the present Administration is seriously considering action to permit easier review in such cases, and, in fact, the Attorney General has recently submitted a bill to both houses of Congress which would implement this change. But the main trouble with Professor Davis' objection to Book 1's discussion of this point is the fact that his quotation of Book 1 is fallacious. For, instead of having said "the courts normally will refuse to interfere with immigration orders for deportation," Book 1 actually says: "While the courts normally will refuse to interfere with immigration orders for deportation, they will set aside orders, [etc]."

If the REVIEW is to maintain accepted standards of analysis and criticism, it would seem necessary to require quotations that are more genuine and criticisms that are more germane than these.

ALBERT LEPAWSKY
University of California (Berkeley)

TO THE EDITOR:

My purpose is the constructive one of suggesting that instruction can be significantly improved if the textwriters who discuss administrative law will substitute concrete and specific illustrations for their abstract and general exposition.

No professor in any leading law school of the United States would try to teach this type of subject matter through abstract generalizations of the kind that are the main reliance of the public administration texts. Even the textwriters show in their texts that they are incapable of developing their own understanding through that method. This fact is not necessarily a reflection on them. They are attempting the impossible. They cannot develop or convey an understanding of segments of administrative law unless they are willing first to think and then to write in terms of the concrete and the specific. The essence is too often in the applications of the generalizations.

The proof of these assertions lies in the extent to which able textwriters have saturated their texts with misinformation. To present this proof, I have devoted a section of my article to "Misinformation about Administrative Law." I have set forth some thirty or forty examples of such misinformation.

Professor Lepawsky chooses three of my thirty or forty examples and says that I have criticized sentences out of context. I shall answer him by setting forth each context, so that the reader can judge for himself.

The first sentence which Professor Lepawsky says I have taken out of context is the first sentence in a chapter. The entire first paragraph of the chapter, including the first sentence, is as follows:

"In the United States there is no legal limit upon the right of the courts to review the decisions of administrative tribunals. Legislatures cannot insulate administration against judicial review by introducing into the statute clauses designed to thwart review. Our doctrine of constitutional limitations is such that the judiciary can question every administrative act. Even if a state constitution attempted

to set up an administrative commission whose acts were not subject to review by the state courts, judicial review could be accomplished in the federal courts under the due process clause of the Fourteenth Amendment. The sum and substance of the situation is that the courts may review to the extent they deem desirable; that there is no method whereby one may know whether they will or will not review in individual cases; and that administrative decisions are final to some undefined extent, and there seems to be a tendency at work to make them increasingly so."

The paragraph is well written in the sense that every one of the five sentences contributes to a single underlying theme. Because the underlying theme is based upon misunderstanding, each of the five sentences is erroneous, whether considered singly or as a part of the paragraph. If the paragraph were rewritten to render it accurate, most of the sentences would assert the opposite. Following is my revision, which I think is accurate in all respects:

"In the United States the limits upon the right of courts to review administrative decisions are many. Not only can the legislatures insulate administration against judicial review but they frequently do it. Our constitutional system permits many limitations on the power of the judiciary to question administrative action. As early as 1840, in *Decatur v. Paulding*, 14 Pet. 497, 516, the Supreme Court acted on the basis of its view that: 'The interference of the Courts with the performance of the ordinary duties of the executive departments of the government, would be productive of nothing but mischief.' In 1900 the Supreme Court said in *Keim v. United States*, 177 U.S. 290: 'It has been repeatedly adjudged that the courts have no general supervising power over the proceedings and action of the various administrative departments of government.' The law is now what it was in 1903, when the Supreme Court said in *Reetz v. Michigan*, 188 U.S. 505, 507: '... we know of no provision in the Federal Constitution which forbids a State from granting to a tribunal, whether called a court or a board of registration, the final determination of a legal question. . . . Due process is not necessarily judicial process.' Usually one may know from the decided cases whether or not courts will review in individual cases. For instance, the courts usually give effect to such a statutory provision as 54 Stat. 1197 (1940), 38 U.S.C.A. §11a-2 (1954): 'Notwithstanding any other provisions of law,

except as provided in sections 445 and 817 of this title, the decisions of the Administrator of Veterans' Affairs on any question of law or fact concerning a claim for benefits or payments under any Act administered by the Veterans' Administration shall be final and conclusive and no other official or any court of the United States shall have power or jurisdiction to review any such decisions."

If the reader has any doubts that this revision is accurate, I refer him to the full discussion of the authorities in my book *Administrative Law*, pp. 812-67. In addition, further developments on the subject are discussed in my most recent article, "Unreviewable Administrative Action," published earlier this year in the June and July issues of *Federal Rules Decisions*.

How curious that Professor Lepawsky, in accusing me of taking the one sentence out of context, does not say a word about the context, but instead quotes from the following page a single sentence that is completely irrelevant to the sentence under discussion.

The second sentence Professor Lepawsky says I have taken out of context is the first sentence of a new section entitled "Distinction between Law and Fact." The first four sentences of that section, including the one in question, are as follows:

"As a general rule, courts attempt to distinguish between questions of law and fact by reviewing the former and not the latter. The notable exceptions to this rule are the rate-fixing cases wherein the Supreme Court has stated that where confiscation is alleged, the appellate courts will grant a trial de novo. In findings of fact, however, the rule prevails that there must be evidence sufficient to support the decision. It is this latter rule which vitiates the entire hypothesis."

What do these four sentences mean? Do they mean that the courts do review questions of fact? Or do they mean that the courts do not review questions of fact? Does the third sentence contradict the first? Frankly, I am unsure how to answer these questions. What I am sure of is that each of the four sentences involves a misstatement. Even if the third sentence contradicts the first, both are still wrong. A statement that the old gray mare was black is not corrected by a later statement that she was white.

A rewriting of the four sentences to make them accurate would be something like the following, which I submit as fully accurate:

"As a general rule, whenever administrative action is reviewable, courts review both questions of law and questions of fact, but they substitute judgment on the former and not on the latter. The Supreme Court has never required de novo trials in rate-fixing cases; even in the extreme Ben Avon and St. Joseph cases, in which independent judicial judgment on both law and facts was required, the court permitted the review to be on the administrative record. Under the dominant doctrine governing scope of review, the courts do not determine whether the evidence is sufficient, for that would involve substitution of judicial judgment, but the courts limit themselves to a determination of whether the finding is supported by substantial evidence. The distinction between law and fact thus remains at the heart of the principal formula for judicial review of administrative action."

Although I think this revision is accurate, I would not recommend it for a political science text, for even the most brilliant student could not possibly understand the meaning without the aid of concrete applications of the generalizations.

The third sentence Professor Lepawsky says I have taken out of context is the statement that "the courts normally will refuse to interfere with immigration orders for deportation." He says: "But the main trouble with Professor Davis' objection to Book 1's discussion of this point is the fact that his quotation of Book 1 is fallacious. For, instead of having said 'the courts normally will refuse to interfere with immigration orders for deportation,' Book 1 actually says: 'While the courts normally will refuse to interfere with immigration orders for deportation, they will set aside orders etc.' " The ironical fact is that Professor Lepawsky goes wrong precisely because he fails to take account of either the immediate context or the larger context! Why does he cut off his quotation in the middle of the thought? The fact is that the rest of the sentence renders the entire sentence erroneous. The sentence is the third and last sentence of a paragraph immediately under the heading, "Conclusiveness of Administrative Determinations." The entire paragraph is as follows:

"The adequacy of the administrative hearing sometimes determines whether the courts will review. This is, of course, tied up with the question of whether the hearing satisfies due process. While the courts normally will refuse to interfere with immigration orders for de-

portation, they will set aside orders based on any arbitrary trial."

In this immediate context, the meaning of the third sentence is that courts "normally" set aside deportation orders only for "arbitrary trial" or denial of procedural due process. The fact is that the most frequent reasons for setting aside deportation orders are error of law and lack of evidence. The Supreme Court has summarized scope of review of deportation orders in *Kessler v. Strecker*, 307 U.S. 22, 34 (1939): "If the hearing was fair, if there was evidence to support the finding of the Secretary, and if no error of law was committed, the ruling of the Department must stand and cannot be corrected in judicial proceedings. If, on the other hand, one of the elements mentioned is lacking the proceeding is void and must be set aside."

The larger context is the textwriter's erroneous idea that "courts are reluctant to review" what he calls "a legal right which is a privilege." He erroneously says, for instance: "It is not easy to get the courts to reverse Post Office Department fraud orders, because the attitude is taken that the government is performing a business service to individuals on favorable terms." Then he erroneously says: "In cases involving the police power, or where individual freedom is restricted in the interest of society as a whole, the situation is different."

The courts interfere as much with deportation and fraud orders as they do with regulatory orders. The courts interfere less frequently with SEC, CAB, and FTC orders than they do with deportation orders. For instance, twenty CAB orders were reviewed in 1951 and only one reversed; twenty-three were reviewed in 1952 and only one reversed. But because the variables are plural, judicial reluctance or lack of it cannot be proved or disproved with statistics about proportion of reversals; if the agency is careless, reversals increase; if lawyers challenge too many orders, the proportion of reversals decreases. In one sense, courts "normally refuse to interfere" with any administrative orders, for less than two per cent of federal administrative adjudications are judicially reviewed, but the context shows that the textwriter was not using his words in this sense.

Professor Lepawsky falls into rather elementary error when he says that "the courts are thus 'normally' so hesitant to interfere with deportation orders that the present Ad-

ministration is seriously considering action to permit easier review in such cases, and, in fact, the Attorney General has recently submitted a bill to both houses of Congress which would implement this change." The proposal is not to change scope of review but only the method. The proposal is to continue habeas corpus as a method of review and to add to it a review under section 10 of the Administrative Procedure Act. Attorney General Brownell has explained that his purpose is not to change the scope of review: "Regarding the scope of review, it is doubtful whether the scope is now any different in habeas corpus from that which is accorded to the orders of other agencies under section 10 of the Administrative Procedure Act."

KENNETH CULP DAVIS
University of Minnesota

TO THE EDITOR:

1. To begin with, I have counted myself, for several years, as an admirer of Professor Davis, largely on the basis of the many excellent articles on administrative law that he has contributed to the law journals. Since the publication of his casebook and his text on the subject, I have used both in my own courses in administrative law, and I am still using his text as collateral reading. I have felt, and I still believe, that Professor Davis understands a great deal about the processes of government and about bureaucratic behavior—in both the judicial and executive branches. Granting, as I do, that Professor Davis "knows" a lot of "political science," it is the more regrettable that he is unwilling to indulge a more charitable assumption concerning the possibility that political scientists (i.e., non-lawyers) might conceivably understand some of the mysteries of administrative law. Herein, it seems to me, lies one of the basic criticisms invited by the tone and manner of expression of the Davis article: that Davis has foreclosed the possibility of finding anything other than misinformation about administrative law in the public administration textbooks, by donning the blinders of professional mysticism. To be specific, Davis suggests that the author of "Book 1" (third edition) is hopelessly confused as to the permissible scope of judicial review under Section 10 (e) of the Administrative Procedure Act, because the phrase "throughout the whole [or entire] record" is used synonymously with the statutory language: "unsupported by substantial evidence . . . [in]

the whole record." Since this edition discusses the two leading Supreme Court decisions and cites the leading law journal article (Jaffe's "Judicial Review: Substantial Evidence on the Whole Record") on p. 514, the author obviously had exposed himself to the proper authorities; Davis' argument must be that the author was incapable of understanding this complex point. One would assume that an awareness of legal history would push one towards charity rather than towards dogmatism in matters such as these; after all, none other than the esteemed Learned Hand was confused on this very point when the Court of Appeals for the Second Circuit decided the *Universal Camera* case; and when that same case reached the Supreme Court, what did Justice Frankfurter do other than to resurrect the "reasonable man" of Holmes' dissent in *Lochner v. New York*, and make this the yardstick of judicial discretion, or "the judgmental process of review." The subject cannot be crystal clear, even to Professor Davis, for he has written elsewhere in this regard: "Obviously the test of reasonableness under the substantial evidence rule is unprecise and susceptible of different application by different courts or even by the same court in different cases." Davis, *Administrative Law*, p. 915.

2. However sympathetic one may be toward the objectives Professor Davis had in mind in writing his article, it is difficult to condone his methods. Any quotation necessarily is made out of context, but it is unworthy of a scholar to quote systematically "out of context." It takes no particular acumen in the law, even in administrative law, to indulge in semantic exorcise; one might, for instance, turn to Davis' article (p. 740) where he is taking Book 1 to task, and, by the process of skipping a few intervening sentences, quote him as follows: "Statutes usually forbid judicial substitution of judgment on questions of fact. . . . Under the dominant doctrine the courts review findings of fact to the extent of determining whether they are supported by substantial evidence, and this means that many orders are set aside that would stand if the courts did not review the facts." In other words, Professor Davis, the courts are forbidden to review questions of fact, but they do so anyhow? This brings us back to the error of Book 1, which states (still quoting from Professor Davis, at p. 740): "Legislatures cannot insulate administration against judicial review by introducing into the statute clauses designed to thwart review."

If Professor Davis were to rejoin at this point that this sort of word-game playing is unfair, unprofitable, and before long, unintelligible, I should of course be forced to agree. It certainly is. It is equally unfair to impeach statements in a book published in 1946 on the basis of a statute enacted later that year and a Supreme Court decision which came some five years later. It is not the author of Book 1's lack of prophetic gifts that is at issue. Similarly, it might be pointed out that it is curious that Professor Davis selects the earlier edition of this text to attack, when it is apparent that he had available to him the then recently published third edition, which he cites only in a footnote. Notwithstanding his assertion that "the new errors in the new edition are even more astonishing than those in the second edition," one wonders whether it was an ingrained sense of circumspection and charity or the failure to find such errors that impelled Professor Davis to select the earlier edition as his *pierre de résistance*?

3. Much of Professor Davis' commentary exhibits the quibbling over details, with consequent distortion or complete avoidance of the main point, that is the very epitomy of the "legalism" for which both teachers and practitioners of public administration frequently express aversion. His argument takes on the coloration of the counsel's brief, the one-sided marshalling of evidence pointing in the direction of *quod erat demonstratum*, and the corresponding sublimation of contrary evidence until its consideration may be forced by reason of its having been included in the brief of opposition counsel. I hope that the day is not at hand when truth will be determined in the pages of this REVIEW by grace of the litigious process.

Let me give a specific example of such quibbling combined with quotation out of context. Davis says of another text: "At page 617 Book 3 says that 'rules have the effect of law.' The law is that interpretative rules often lack the force of law." What the author actually said was: "Since rules have the effect of law, they establish the rights of parties under many circumstances, and such parties are entitled to immunity for action taken in reliance upon them." Without debating the normative admonition in the terminal clause, the fact is that interpretative rules *do* establish the rights of parties under many circumstances. E.g., *Gibson Wine Co. v. Snyder*, 194 F. (2d) 329 (1952). It is hard to understand Davis' commentary here other than as deliberate quota-

tion out of context for the purpose of quibbling over words.

4. In his footnote 51, p. 743, Professor Davis takes the author of Book 4 to task for having committed the "especially important" error of distinguishing between "rules" and "regulations," "thereby departing from courts' usage, confusing students who may misunderstand the vocabulary of lawyers and courts, and departing from section 2(c) of the Administrative Procedure Act." I, for one, am not ready to concede that political scientists fall into "error" when they choose to conceptualize governmental processes other than in the terminology of the legal profession. If this were to be the case, stultification of intellectual activity in the field of public law would be rapid indeed.

5. Professor Leonard White is taken severely to task for having undertaken to overgeneralize about the application of the "rule of law" in the United States. The point of Davis' criticism seems to be that the section on administrative law in the introductory course in public administration should be taught by the case method. A little more reflection might have revealed to Professor Davis that such a sudden switch to the case method of instruction for a week or two in a course otherwise taught by other techniques is not very feasible: (1) suitable materials are not available, unless the class is to be asked to purchase a law school casebook in administrative law in addition to the public administration textbook; (2) most of the two weeks would have to be devoted to teaching the case method to students who would be unfamiliar with it; (3) political scientists are using the case method in the courses in administrative law that are now being taught in approximately 100 political science departments throughout the country; (4) in two weeks, one might hope to cover by the case method, thus interjected in the introductory public administration course, and working with undergraduates rather than law school students, the subjects of official and governmental liability. Period. Is the rest of administrative law to be ignored in what is admittedly a *survey* course, an introduction to a field of study?

Turning to the merits of the White generalization, it is true that both governmental and officer liability are necessarily bound up in any discussion of Dicey's "rule of law," but surely all wisdom on this subject is not to be found in a fifty year old case, even after Pro-

fessor Davis has "somewhat altered"* the facts; and he may be surprised to discover that *Lowe v. Conroy* is well known to many, if not to most, political scientists. Obviously, it is known to White, since he discusses the case on p. 578 of his text.

Professor White may even have been somewhat misled, in his assumptions about the "universal accept[ance]" of the rule of law as an aspect of judicial review of administration, by contemporary statements of leading jurists and law school professors of administrative law. Surely Arthur T. Vanderbilt, formerly Dean of the New York University Law School and member of the Attorney General's [the Acheson] Committee on Administrative Procedure, qualifies as such an authority on administrative law; and one would assume that this would be particularly true when Chief Justice Vanderbilt speaks from the bench. Only a few months after Professor White's third edition went to press, we find Chief Justice Vanderbilt saying: "Neither is the grant to administrative agencies of the power to adjudicate controversies within the various fields of administrative activity a violation of Article III [of the New Jersey State Constitution of 1947], for every administrative adjudication is subject to the doctrine of the supremacy of law, or, as it has often been called, the Rule of Law. If an administrative adjudication is repugnant to the state or the federal Constitution or the law of the land as, e.g., a treaty, or is ultra vires a statute, it is subject to attack by judicial review." *Mulhearn v. Federal Shipbuilding and Dry Dock Co.*, 2 N. J. 356, 364 (1949). Are law school students taught to ignore such "abstract and erroneous generalizations [about] Dicey's rule of law?" (p. 732).

6. It is perhaps unfortunate that Professor Davis did not pay more heed to the Popian couplet. Further investigation might have revealed to him that at least faltering steps have been taken by political scientists in an attempt to provide some evidence bearing on the questions that Davis asks in his section VI, "Some Suggestions for Research." To take only the second of his questions, for example: "To what extent do the regulated groups control the regulators?" It has been well over a decade since the publication of Herring's *Public Ad-*

* Kenneth C. Davis, "Some Reflections of a Law Professor about Instruction and Research in Public Administration," this *Review*, Vol. 47, p. 731, fn. 5 (Sept., 1953).

ministration and the Public Interest, Fesler's *The Independence of State Regulatory Agencies*, and Leiserson's *Administrative Regulation*, all of which would seem to be relevant to the question. Since Davis cites none of these studies in the "Table of Authorities" appended to his text, one may be pardoned for assuming that he may be ignorant of their existence.

7. Many political scientists readily will agree with Davis about the virtues of the case method of instruction, the inadequacies of existing treatment of the subject of administrative law in public administration textbooks, the desirability of more research in many areas of administrative law (unfortunately, it has little sex appeal and does not "pitch" well for foundation support), and the obligation of political scientists to develop both a conceptual framework for and materials dealing with "internal" administrative law. It is the more regrettable that he felt impelled to overstate his case; a fair-minded discussion on his part of "Misinformation about Administrative Law" in the public administration textbooks would undoubtedly have been much more influential upon his audience, who were not really on trial except in Professor Davis' own mind.

GLENDON A. SCHUBERT, JR.
Michigan State College

TO THE EDITOR:

I shall aim a few sentences at the heart of each of the first five of Professor Schubert's seven numbered points.

1. He tries to defend the palpably absurd statement that "'substantial evidence' must be found throughout the entire record to support administrative action." I repeat the question I previously asked in a footnote: If in a 1000-page record, 990 pages are devoted to unconvincing circumstantial evidence on one side, and ten pages to convincing direct evidence on the other side, should a court hold that the agency may not believe the direct evidence?

2. His entire discussion of this point proclaims that he is unaware of the distinction between judicial review involving substitution of judicial judgment and judicial review not involving substitution of judicial judgment, a distinction which is cardinal in most of the law of scope of review.

His statement that it is unfair to impeach a 1946 book on the basis of a statute passed later

in 1946 and a 1951 decision would be well taken if either the statute or the case changed the law under discussion. To show that statutes sometimes preclude review, I quoted the clause of the 1946 Administrative Procedure Act that says, "Except so far as statutes preclude review . . ." The 1951 case was used for a proposition that has been the law since 1912.

He sees something sinister in my discussion of a second edition and my footnote recognition of the third edition. The simple explanation, of course, is that the third edition appeared after my article was in proof.

3. He justifies an unqualified statement that "rules have the effect of law" by arguing that "interpretative rules do establish the rights of parties under many circumstances." Yes, they do. But the point is that in many other circumstances, interpretative rules do not have the effect of law, and the unqualified statement is therefore excessive.

4. He says that if political scientists must use the terms "rules" and "regulations" in the same way these terms are used by Congress, state legislatures, courts, agencies, administrators, lawyers, and law professors, "stultification of intellectual activity in the field of public law would be rapid indeed." I cannot agree. Political scientists can influence the course of government only if they use a vocabulary that is understood by the people who make up the government. Any impairment of the means of communication is unfortunate.

5. In an effort to justify a mistaken statement that officers are liable in tort, he relies upon some vague supremacy-of-law language of Chief Justice Vanderbilt that says nothing about tort liability. The Vanderbilt position on officers' tort liability is the opposite of what Professor Schubert assumes it to be, as he could have found by examining the orthodox case of *Hester v. Miller*, 8 N.J. 81, 83 A.2d 773 (1951), holding the State Highway Commissioner immune from liability.

Professor Schubert's reliance upon vague and general language, instead of using a concrete holding involving a particular application, is precisely the type of thinking that seems to me so harmful in the public administration texts.

KENNETH CULP DAVIS

TO THE EDITOR:

You ask in the March issue for comment on Kenneth C. Davis's remarks in the September

issue concerning "Misinformation about Administrative Law."

I have not myself examined the texts discussed in Professor Davis's article. But I have thought about his criticisms of the portions he selected for discussion. In my estimation he has accurately characterized these portions as being loaded with misinformation. Agreement with Professor Davis's analysis does not come as a surprise. He is in the highest rank of administrative lawyers in this country. His writings have brought him much merited recognition, including the Henderson Memorial Prize awarded not oftener than quinquennially by vote of the faculty of the Harvard Law School as a "recognition of outstanding excellence in the production of a critical and constructive work on Administrative Law and other problems affecting government." There is a very strong presumption indeed that Davis knows whereof he speaks when he speaks about administrative law.

The important point, however, is not whether Davis has correctly identified a number of errors in texts prepared for students of

public administration. The real question is whether the texts should deal at all—correctly or incorrectly—with "legal complexities." Davis argues effectively that they should not—not because lawyers are entitled to maintain monopolistic control over "legal complexities," but because there are so many more important matters to which political scientists and their students should devote attention. Who really cares whether in formal proceedings a litigant must petition for an administrative rehearing before he can say that there is a "final order" ripe for judicial review? Who really cares whether certiorari is a procedural device used by federal courts when they want to review administrative decisions? Who really cares about the precise meaning of "res judicata" in administrative law? Well, obviously enough, somebody does and should care. But I suggest that he is not likely to be found among the governmental generalists or the administrative specialists who are being trained by teachers of public administration.

WALTER GELLHORN
Columbia University

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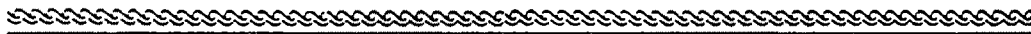
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PRESIDENTIAL ADDRESS

RALPH J. BUNCHE

United Nations

This, the fiftieth annual meeting of our Association, has more than ordinary significance. Certainly it can be said that the Association has attained middle-age and the intellectual as well as the physical maturity to do proper credit to our years. We may, on this special occasion at least, regard with pardonable pride our record of growth, the recognition and development of our discipline in both teaching and research, the public service it has rendered, and its contribution to the forward progress of American political democracy. American political scientists, practitioners of what Aristotle rightly or wrongly described as the "master science," have recognized, as did Plato and Aristotle, the surpassing importance of political problems in society and have experienced the difficulties which they foresaw in the effort to employ scientific methods and procedures in the solution of such problems. Beyond doubt, however, we move steadily forward. Our scientific and professional standards show constant improvement. Our store of knowledge is immense. Our almost feverish search for new data is incessant. We know almost all there is to know about the political infirmities of our patients except how to cure them. The state of domestic and world affairs keeps us humble.

All of the fifty annual meetings of this Association have been held in the twentieth century, which may claim as its most tragic distinction its almost constant addiction to warfare. Even a superficial glimpse at the past half-century leads to the conclusion that but few of these meetings have been held at a time when people somewhere in the world were not at war. Indeed, it is an unflattering commentary on the condition of our times merely to point out that this fiftieth meeting of the Association is the first in well-nigh a quarter of a century which can look upon a world

* Delivered before the American Political Science Association at its fiftieth annual meeting in Chicago, Illinois, September 9, 1954.

free, even if most insecurely, of organized warfare anywhere on the globe.

This, I make bold to say, can be counted as a blessing even if one must hasten to add that while there is at this moment no war, neither is there peace, for the cold war waxes hot, tensions continue severe, provocative incidents constantly test our nerves and our forbearance, armaments pyramid, and the dark threat of atomic war ever lurks on the horizon.

Still, with the cessation of fighting in Indo-China, there is no instant war and, therefore, an opportunity is presented, slight though it may be, for governments and statesmen and peoples the world over to pursue with renewed vigor the ends of peace and bring thereby some measure of relief and hope to harassed and war-weary mankind. But, in truth, the precariousness of the times is such, the aggressive forces loose in the world are so unpredictable, and uncertainty so dominates one's thought and psychology, that even as I write these words on September 7th I grimly realize that they may not hold true at all on September 9th.

In this regard, it may be recalled that our Association came into being during an earlier lull in warfare throughout the world. The Sino-Japanese, Spanish-American, and South African wars were over and the Russo-Japanese war had not begun when the first meeting of this Association convened in New Orleans a half-century ago. There has not been much let-up in warfare since. No cause and effect relationship is implied, of course.

Only twenty-five were present at that initial meeting. At the end of the Association's first year there were two hundred and fourteen members, and of these most found their primary interest not directly in political problems but in history, economics, and other social studies having political implications. As former President John A. Fairlie pointed out in his presidential address at the 1929 meeting, "When this Association was organized, the systematic study and teaching of political problems was but slightly developed. Only a few courses in public law and government were given in some of the larger universities."

Since those early, lean days, the lustiness of the growth and the proliferation of our discipline is amply attested by the bulging program of this fiftieth annual meeting.

In many directions our Association and our discipline have made striking progress. Our membership today stands at well over 6,000, of which less than half consists of those actively engaged in the teaching of political science. This has been a development realized largely in the last quarter-century of our existence, for in 1929 President Fairlie noted that

of some 1900 members at that time only a "small portion" were outside the teaching profession.

Political science is now firmly anchored in the curricula of American colleges and universities. There are today more than 300 departments of political science in American colleges and universities with many thousands teaching the subject, exclusive of the large number of those who teach civics and social studies in the secondary schools. The students of political science number in the tens of thousands and each year over three hundred colleges and universities grant degrees in the field. No doubt our most distinguished past president, Woodrow Wilson, were he with us, would be highly gratified by the increasing extent to which members of the profession, particularly in the past two decades, have emerged from the academic realm to render invaluable assistance to governments local, state, and national—and to international organizations and agencies.

In all directions—political parties; national, state, and local government; political theory; constitutional law; public administration; public opinion; political behavior; legislation; international law and relations; comparative government—there has been significant advance in the definition and development of subject-matter, in both teaching and research.

In quite recent years the Association has afforded organized public services through the assistance of the profession in response to requests from the White House and various departments of the government. Organized research efforts, involving collaboration of substantial numbers of political scientists, have been undertaken as a new and recent development; of these the study of delegations to the party conventions in 1952 is an outstandingly successful example.

It may be mentioned, in passing, that political science gains increasing stature as an international discipline. The International Political Science Association, under the initiative of UNESCO, is now well established, with active participation by American political scientists led by Professor James K. Pollock as Senior Vice President. But it remains a fact that political science, as we conceive of it, is unknown in most of the world beyond our borders—in much of Europe, the Orient, and elsewhere. At the time of the organization of the International Political Science Association in 1950, there were political science organizations in but eight countries. However, there is undoubtedly in this development an excellent opportunity to promote the interests of the profession, to widen greatly its horizon of service, and, more important, to reinforce the international bonds of democracy. Since it is estimated that more

than eighty per cent of the world's political scientists are in this country, both our opportunity and our responsibility in this international venture are great.

Our collaboration in this international effort is motivated neither by intellectual imperialism nor by a missionary impulse to bring political wisdom to the "heathen." Rather, the International Association affords the opportunity for an exchange of thinking and a cross-fertilization of ideas among intellectual equals of all nationalities, colors, and creeds who have discovered, quite as we discovered, the need for a distinct discipline in the field of political phenomena.

Despite the rapid development of American political science as an independent discipline—and it could be said not altogether facetiously that in some respects there might appear to be more of independence than of discipline—and while we have made substantial contributions to the intellectual and public life of the nation, disagreement, frustration, and failure are not unknown to us.

Passing mention only need be made of such matters as the tendencies toward excessive intellectual diffusion, over-specialization, "splintering" of the discipline, and the lack of what might be called unifying roots. Nor shall I dwell upon the absence of agreement among us on methodology, techniques, and classification, or on the comparability of political science and the natural sciences. These undoubtedly are matters of vital concern to the profession and on any one of them there could be—and there has often been—discussion without end.

Partly because this is our fiftieth meeting, partly because of the extreme discretion in public expression incumbent upon an international civil servant, and in no small measure because of an acute awareness of my own limitations in the preparation of this paper, I have burrowed in the addresses of previous presidents of the Association.

It seems to me that this meeting at the half-century mark is a particularly appropriate occasion on which to reflect upon the wisdom, the hopes, and the cautions of those who may rightly be called the founding fathers of American political science, especially where they may offer wise counsel for our future course and for the challenges with which the present and the future confront us.

A review of the presidential addresses delivered before this Association in the course of the fifty years since that small band of pioneers came together in New Orleans, provides a graphic picture of the development of political science in America, its function and method, its achievements and shortcomings, as seen by some of its most distinguished disciples. In these addresses there may also be found no slight reflection of

much of the nation's political history and thought of the past half-century.

Bearing in mind the virtue of brevity, note is taken here of only some of the salient points in a selected few of the addresses of the first half of the Association's existence. Rather arbitrarily, I have decided that the ex-Presidents since 1930 are still too young to be classified as "elder statesmen."

At the third annual meeting, Albert Shaw emphasized that the Association "is not partisan, or sectional or propagandist in its nature;" it "is not a body of reformers," and therefore, it "can help to bring to a hundred questions now under discussion in the affairs of the nation, of the States, or of the municipalities the spirit of calmness, of inquiry, of reasonable discussion—in short, the scientific spirit."

Without straining any point, it may be urged that it would be difficult to think of a greater service that could be rendered to our nation today as regards both national and international affairs.

Two years later, at the fifth annual meeting, Lord Bryce, after offering political scientists what he described as a "maxim of universal validity," i.e., "keep close to the facts," raised the question: "What is the use of Political Science? Can it be made to serve the practical needs of the time?" In partial answer to his questions, which are just as pertinent and timely today as when he posed them early in the century, he expressed the view that since in free countries "the chief problem of democracy is to make the citizens intellectually and morally fit to conduct their government"—this being especially so in the United States, where "the ultimate control of public affairs belongs to the mass of the people"—political scientists ought to try, through their influence on citizens in the universities and their publications, to improve civic intelligence.

There has been improvement certainly, but there are few, I imagine, who would not agree that the need in this direction continues to be great and urgent.

The next year, at the sixth annual meeting, A. Lawrence Lowell, pointing out that "politics is an observational, not an experimental science; and hence the greater need of careful observation of those phenomena which we can use," queried: "But how much do statesmen turn to professors of political science for guidance? Surely students of politics do not lead public thought as much as they ought to do . . ."

Would it not be true to say that we still do not; that in the main the impact of the political scientist on thought and leadership is by no means comparable to his knowledge and potentiality?

At the seventh annual meeting, Woodrow Wilson expressed his dislike of the term "political science," since in his view, "human relationships, whether in the family or in the state, in the counting house or in the factory, are not in any proper sense the subject-matter of science. They are stuff of insight and sympathy and spiritual comprehension." He preferred the term "politics," which in his view included both the "statesmanship of thinking" and the "statesmanship of action."

President Wilson adjured that "the statesmanship of thought" as against "the statesmanship of action" must be furnished by the political scientist

out of his full store of truth, discovered by patient inquiry, dispassionate exposition, fearless analysis and frank inference. He must spread a dragnet for all the facts, and must then look upon them steadily and look upon them whole. It is only thus that he can enrich the thinking and clarify the vision of the statesman of action, who has no time for patient inquiry, who must be found in his facts before he can apply them in law and policy, who must have stuff of truth for his conscience and his resolution to rely on.

Wilson went on to say:

the statesman and the student of political science have not hitherto often been partners. The statesman has looked askance upon the student,—at any rate in America, and has too often been justified because the student did not perceive the real scope and importance of what he was set to do and overlooked much of the great field from which he should have drawn his facts,—was not a student of thought and of affairs but merely a reader of books and documents.

The weaknesses and deficiencies which Wilson saw in the equipment of the student of politics of his time have been, I would think, largely corrected by now. But despite the considerable and encouraging traffic between campus and bureaucracy, especially during war years, the gap between the realms of study and action continues more than wide enough. In my experience off the campus during almost fifteen years now, I have discovered that when I am referred to as an "academician," this is not always meant as flattery, that the habit of trying to marshall all the facts, weigh them, and think things through thoroughly as the basis for action is sometimes regarded as droll and at other times incites no little impatience.

In 1925, at the twenty-first annual meeting, Charles E. Merriam prophesied:

we are likely to see a closer integration of the social sciences themselves, which in the necessary process of differentiation have in many cases become much too isolated. In dealing with basic problems . . . it becomes evident that neither the

facts and the technique of economics alone, nor of politics alone, nor of history alone, are adequate to their analysis and interpretation.

Merriam, no doubt, would be pleased with the extent to which, in quite recent years, inter-disciplinary seminars, composite courses, and inter-disciplinary research programs have developed. There is, certainly, much less exclusiveness among the social scientists than in earlier years.

Merriam concluded:

At any rate, it becomes increasingly evident that the basic problems of political organization and conduct must be resurveyed in the light of new discoveries and tendencies; that the nature of mass rule must be reexamined; that the character and range of popular interest in government and the methods of utilizing it must be reexplored; that we must call in science to help end war as well as to make war; that the mechanisms and processes of politics must be subjected to much more minute analysis than they have hitherto received at the hands of students of government, from a much broader view, and from different angles.

Merriam's suggestion that science be employed to help end as well as to help make war has not materialized, but science has certainly made the prospect of another war a tremendously frightening thought. But to view the hydrogen bomb as signalling the end of the world, as some are inclined to do, serves only to induce panic and to nourish the ambitions of reckless ones who would seek power through exploitation of fear. In the calm view, the new weapons in all their fearful destructive potential are merely the logical end of the concept of total war in this scientific age. If a minimum of reason can be brought to prevail, the atomic-hydrogen-cobalt bombs may yet prove to be the decisive deterrent to war as governments and peoples the world over increasingly realize that another world war and the survival of civilization are altogether incompatible.

Now and then, over the years, stern warnings and criticisms have been directed to the political scientists, as for example, by Charles A. Beard and my highly respected former teacher, William B. Munro.

Beard inveighed against a good many things, including our "academic sterilities" and "the peril of narrowing the vision while accumulating information."

Munro, with an eye on the changes which had occurred in the exact sciences in response to new knowledge, urged:

It is time for political science to step up into line with the new physics by turning some of its attention to the sub-atomic possibilities. We should seek to discover the true reasons for that vast differentiation between good, bad, and indifferent citizenship which is perhaps the most obvious of all the phenomena of

politics. We should enquire diligently into the nature and scope of the forces which make each civic atom what he is. And we should discard our allegiance to the absolute, for nothing would seem to be more truly self-evident than the proposition that all civic rights and duties, all forms and methods of government, are relative to one another, as well as to time and place circumstance. They cannot be translated into unvarying formulas.

You will pardon me, I trust, if I say that to my untheoretical mind, the real measure of our success or failure as political scientists is to be found in the manner in which opportunity is served and responsibility discharged, in other words, in our total impact for good or ill upon the society. In this regard one may well question whether the Association and its members have met as well as we might the test of that leadership which could and should be afforded, in both research and teaching, toward the betterment of American public life, the strengthening of democracy, and the achievement of more stable international relations.

I do not know to what extent it may be true that the discipline of political science is at once a function and an expression of democratic ideology and practice, but there can be no doubt of the rich contribution which political science can make to the strength and growth of democracy, where, as among us, it is directed to the systematic teaching, analysis, and practice of democracy in government and administration.

The severest challenge to the political scientist and to the social scientist generally, it seems to me, is in the notable failure of political and social institutions and policies to keep pace with material and technical change. If in the past fifty years there has been progress in the development of institutions, in the art of governing people, in the understanding of political processes and events, domestic and international—and some are quick to deny it—there has been no progress in any way comparable to that which has accompanied the application of science and technology to industry, communication, and transportation. In this age of the weapons of fission and fusion which science has made available to war, may not the very future of civilization depend to a considerable extent upon the ability of the political scientists, who are indeed the true experts in political relationships, to find remedies for these potentially fatal defects in political conduct? If they do not, who is to do so? Are political scientists still too much attached to abstract formalism, to metaphysical and juristic concepts, to established patterns and a traditionally narrow scope, and too exclusive to be fully realistic about the political needs, motivations, and forces which stimulate and control the thoughts and actions of citizens and governments, and therefore to be of maximum usefulness to a world in dire distress?

There will nowhere be such a promised land of politics as Plato, the practical reformer, sought. But there can be societies better governed and international affairs better ordered than is now the case. There can be, certainly, a better world, and I have confidence that political scientists can help to make it so. To do so, it is not essential, to paraphrase Plato, that either philosophers or political scientists be kings, or vice versa. But it is essential that the acts of men which are, in the words of Lord Bryce, the "data of politics," in the broadest sense, be studied, analyzed, and well understood by political scientists. There is, it seems to me, very much truth in the observation recorded by Boswell in his journal for July 28, 1763, to the effect that "human experience, which was constantly contradicting theory, was the great test of truth. . . ." And, as Woodrow Wilson put it, "nothing that forms or affects human life seems to me to be properly foreign to the student of politics." The fields in which the political scientist must plow, if the yield is to be worthy of the effort, are indeed vast.

With considerable diffidence, in view of my lack of adequate knowledge of work underway in our field, I venture to suggest that there are certain problem areas which would seem to merit greater attention than is now accorded them by our profession.

There is, for example, the problem of colonialism, and more particularly of colonial Africa. This, certainly, is at once one of the most critical and the most difficult of international problems. In one form or another, colonialism commands a highly prominent position on the agenda of the forthcoming ninth session of the General Assembly of the United Nations. Postwar experience alone has painfully demonstrated how much of the trouble and conflict in the contemporary world flows directly or indirectly from this faucet. Our colleges and universities, however, and political scientists with few exceptions, have been regrettably slow in grasping fully the world significance of this problem. American political science, I fear, has not yet come to grips with it.

In scanning the presidential addresses of the past, for example, I noted that in only one or two of them was there any reference at all to the problem of colonialism. This subject, surely, is quite within the scope and the horizon of interest of the political scientist. If I stress this lacuna in our knowledge and effort, it is not alone because colonialism has been my major pre-occupation. It is also because the field provides such great challenge; there is in it for the diligent student so much of rich opportunity for constructive contribution; and as a present and potential source of vast trouble and danger it is today one of the world's leading problems.

Secondly, in view of the new position and responsibilities assumed by our nation in world affairs, which in our democratic system necessarily involves a new responsibility of judgment and decision for the American citizen, it may well be questioned whether our educational system has adjusted to the changed situation and demands in such manner as properly to equip the citizen for the political discharge of this still unfamiliar role and responsibility.

With respect to international affairs, for instance, there would appear to be much to be learned about the historical and entirely respectable role of negotiation, conciliation, and honorable compromise in the settlement of disputes. Expectations from policies and actions are often unrealistic to the point of being fanciful, while patience is correspondingly short. There is much to be learned about how to bear up under sustained uncertainty and danger. There is surely to be found in knowledge and understanding some measure of safeguard against frustration and cynicism.

Thirdly, the striking evidence of fear, suspicion, intolerance, and confusion in the society, providing fertile soil for demagoguery, imperil our traditional freedom, and pose a stern challenge to the political scientist. These are phenomena which surely demand our most urgent concern, on behalf of the nation at large as well as our own professional and personal interest.

In the ultimate sense, it is clear, our future professional effectiveness must depend upon the preservation of that traditional freedom of inquiry which is fundamental to the American way of life and to the very concept of self-government.

If you will permit me to make one further reference to my personal experience, I would say that in our analyses, calculations, and conclusions concerning political phenomena we should never lose sight of the human, the personal factor. I am constantly impressed with the extent to which purely individual characteristics, such as personality, temperament, disposition, integrity, humility, candor, and patience, often exert substantial influence on important matters. This I have found to be the case in administrative affairs, in negotiations, and in mediation. I suspect that it must be taken into account in other areas as well.

These are simple things but they often cause political situations and efforts to be far more complex than they would otherwise be. They may not lend themselves readily to scientific approach but they have to be reckoned with most seriously.

With no apology, I should like to conclude on the quite unscientific note of faith.

Civilization is in the grip of a moral crisis. While this, in itself, is no new experience in human history, the clear and present danger derives from the fact that our scientific knowledge far exceeds our knowledge of man; to such an extent, indeed, that man now has at his disposition a power of self-destruction never before approached. That same scientific knowledge also affords to man a greater possibility for improvement than he has ever known.

It is my conviction that it is toward the fundamental unity of man that we must look for the only means whereby civilization and mankind may survive on this earth. Our knowledge of man must begin to catch up with our mastery of science. It is only in this direction that we may usefully seek to disperse the poisonous fears and suspicions which actuate that irrational behavior of man which in turn keeps him in mortal danger, each to the other. This is a matter fundamentally and decisively of simple faith in man and in his future. Despite all manifestations of evil—and these are in abundant supply—I find in that faith all that is needed to sustain me and my hopefulness in these times of grave peril.

THE RYUKYU ISLANDS: PAWN OF THE PACIFIC*

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The first territory to be returned to Japan by the United States since the 1945 surrender is a group of the Ryukyu Islands.¹ This fact focuses attention on this strategically important archipelago extending from southernmost Japan to Formosa, although the Ryukyus have been at least on the periphery of Western attention for two centuries.² The chief compulsions for American popular interest in the islands have been the Battle of Okinawa of World War II and, more recently, the best selling novel and Broadway hit, *The Teahouse of the August Moon*.

This transitory and popular interest will undoubtedly give way to wider international attention in the next few years as the Japanese become more articulate in their criticism of the questionable grounds on which these islands were stripped from Japan Proper at the end of the war.³ Of further significance to political science is the fact that Okinawa, major island of the group, is (excepting only the Bonins) the last area of the world to remain under complete American military government control. The character of this nearly ten-year rule by the United States and its impact on a million people who have continually demanded "reversion" to Japan must inevitably be the subject of study of those interested in the confluence of cultures under conditions of sustained military government.

A century ago the Ryukyus were a point of contact between the United States and Japan even as now they are an important factor in the relations between these two nations. Naha, present capital of Okinawa, was a base of operations for Commodore Perry during the entire year of his negotiations with Ja-

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¹ Fulfilling a promise made by Secretary of State Dulles in Tokyo August 8, 1953, the United States returned the Amami Ōshima group to Japan December 24, 1953. *New York Times*, December 25, 1953, pp. 1, 4. Discussion favoring immediate return of the Amami Ōshima group can be found in Douglas G. Haring, "Amami-Gunto: Forgotten Islands," *Far Eastern Survey*, Vol. 21, pp. 170-72 (Nov. 19, 1952); and the author's "The Outlook for the Ryukyus," *Far Eastern Survey*, Vol. 22, pp. 73-79 (June, 1953).

² See appended Bibliographical Note.

³ That it is the intention of the Japanese government to press for the return of Okinawa was made clear by Prime Minister Yoshida in an address to the Diet on January 27, 1954. Full text in *Nippon Times*, January 8, 1954, p. 8. Extensive criticism of United States retention of the Ryukyus characterized the Diet debate on the Peace Treaty. See below, notes 58-63.

pan. No less than a fifth of Perry's distinguished 591-page *Narrative*⁴ was devoted to a description of the government and people of these islands. Even before reaching the Ryukyus, Perry proposed their occupation by the United States because of the "strictest rules of moral law" and "laws of stern necessity."⁵ The centenary of Perry's treaty with Japan finds a curiously fortuitous fulfillment of this zealous suggestion.

I

The rationale for the separation of the Ryukyu Islands from the rest of Japan is for the most part one of official silence and astute circumvention. The assumption seems to be that the islands fall within the last of three categories of territories described in the Declaration of the Cairo Conference made on December 31, 1943:

... Japan shall be stripped of all the islands in the Pacific which she seized or occupied since the beginning of the First World War in 1914, and ... all the territories Japan has stolen from the Chinese such as Manchuria, Formosa and the Pescadores, shall be restored to the Republic of China. *Japan will also be expelled from all other territories she has taken by violence and greed.* (Italics supplied.)

The agreement signed at Yalta, February 11, 1945 dealing with the cession of territories to the Soviet Union made no mention of the Ryukyus. The Potsdam Declaration of July 26, 1945 reaffirmed the Cairo policy and specifically limited the sovereignty of Japan to the four main islands of Honshu, Hokkaido, Kyushu, and Shikoku and such minor islands as the Allies "may determine." It is noteworthy that the Ryukyus are nowhere mentioned in the three foregoing policy statements or in the subsequent surrender terms to which Japan agreed on September 2, 1945. At the San Francisco Peace Conference in 1951, the sta-

⁴ *Narrative of the Expedition of an American Squadron to the China Seas and Japan*, comp. Francis L. Hawks, 2 vols. (New York, 1856), Vol. 1. This is a commercial edition of the official report of the Perry expedition and includes an analysis of Ryukyuan government. Volume 2 of the report consists of miscellaneous letters, notes, and reports submitted to Perry by staff officers. Nearly 50 of the 414 pages of the second volume are concerned with the Ryukyus in the form of scientific reports. This volume also includes Perry's remarks "upon the probable future relations with Japan and Lew Chew." See *Narrative of the Expedition of an American Squadron to the China Seas and Japan*, Senate Ex. Doc. No. 79, 33d Cong., 2d sess., Vol. 2, pp. 15-64, 185-88. A second account of the Perry expedition is that of the official interpreter, S. Wells Williams, "A Journal of the Perry Expedition to Japan 1853-1854," *Transactions of the Asiatic Society of Japan*, Vol. 27, Part II, pp. 1-260 (1910).

⁵ Writing from Madeira in a dispatch to the Secretary of the Navy December 14, 1852, Perry first proposed "occupation of the principal ports of those Islands [Ryukyus]." In a dispatch from Okinawa on January 25, 1854, Perry proposed putting "Great Lew Chew" [Okinawa] under "surveillance of the American Flag upon the ground of reclamation for insults and injuries committed upon American Citizens [by Japan]." (Perry's italics.) The Commodore's zeal was quietly restrained by return dispatches sent by Secretary of State Edward Everett and Navy Secretary J. C. Dobbin. Full text of the Madeira dispatch and Dobbin's answer as well as the complete Madeira correspondence are accessible in *Treaties and Other International Acts of the United States of America*, ed. Hunter Miller (Washington, 1942), Vol. 6, pp. 758-59, 588-90.

tus of the Ryukyu group was discussed by several delegates, including those from Japan, the United States, the Soviet Union, and India,⁶ but no reason for the separation of the islands from Japan Proper was advanced. The Peace Treaty states explicitly that the United States will exercise immediate control over the islands, implying that Japan retains "residual sovereignty,"⁷ but is silent as to why the islands were treated differently from the four main islands of Japan. Nor was the silence broken in the discussion before the Senate Foreign Relations Committee, where only slight mention of the Ryukyus was made at the hearings on the Peace Treaty.⁸ General Bradley, chairman of the Joint Chiefs of Staff, suggested the transcendence of military considerations in indicating that it would be difficult to ask the Congress for funds for security installations on Okinawa "unless we had a rather clear-cut right to be there and stay there for some time."⁹ Mr. Dulles, stating that the trusteeship provision of Article 3 of the Peace Treaty was an option which need not be exercised by the United States, reasserted that considerations of national defense will determine the ultimate disposition of the islands. He refused, however, to hazard a guess as to what that disposition will be.¹⁰ The questioning of General Bradley by Senator Alexander Wiley and of Mr. Dulles by Senator H. Alexander Smith, as well as the comments of Herbert Coston, a former missionary to Japan, implied some concern as to the advisability of our retention of the islands, but this concern seemed to be based solely on an awareness of adverse public opinion in Japan and the islands.¹¹ The most noteworthy feature of the discussion before the Senate committee is that *no member of the committee or witness once raised the question of the right of the United States to sever the islands from Japan*. There was not even a presentation of the rationale by which the decision of severance was made. Even less attention was given the Ryukyus when the Peace Treaty was discussed on the floor of the House and Senate.¹² The islands were mentioned only once when reference was made to an exchange of notes between India and the United States in which the position of the Ryukyus was discussed.

Most of the territories taken from Japan at the end of the war meet one or

⁶ Conference for the Conclusion and Signature of the Treaty of Peace with Japan, *Record of Proceedings* (Washington, 1951), pp. 78, 93-94, 271, 277.

⁷ Although not used in the treaty itself, the term "residual sovereignty" is mentioned in the discussion by both Secretary Dulles and Prime Minister Yoshida. *Record of Proceedings*, pp. 78, 277.

⁸ United States Senate, *Japanese Peace Treaty and other Treaties Relating to Security in the Pacific, Hearings before the Committee on Foreign Relations*, 82d Cong., 2d sess. (Washington, 1952).

⁹ *Ibid.*, pp. 23-24.

¹⁰ *Ibid.*, pp. 51-52.

¹¹ *Ibid.*, pp. 100-16.

¹² The only reason for mention of the Ryukyus at all in the Senate and House debates was the occasion of Senator Knowland's brief discussion of the Indian note protesting disposition of the islands. *Congressional Record*, 82d Cong., 1st sess., Vol. 97, pp. 10663-64, 10742-43 (Aug. 27, 28, 1951). Indeed the debates in Congress do not deal comprehensively or expertly with the Japanese Peace Treaty as a whole. *Ibid.*, pp. 58, 1694, 3811, 4477, 9429-31, 10524-26, 10594, 10602, 11128, 11946, 12726-28, A5470-71.

more of the requirements specified at Cairo, Yalta, or Potsdam. The Ryukyus, the Kuriles, and the Bonins alone defy categorization with the other areas. They were not seized after 1914, nor were they "stolen" from China or the Soviet Union; neither were they taken—except in the most far-fetched sense—by "violence." In the case of the Kuriles it would appear that outright cession to the Soviet Union was premised on a gross misreading of history or on tacit acceptance of the ancient but no longer honorable practice of dividing territorial booty among the victors.¹³ It is highly doubtful that the latter premise played any substantial part in the cession of the Ryukyus to the United States, not only because territorial acquisition ran counter to American affirmations and intentions, but also because the United States has clarified its policy so that ultimate reversion of the islands to Japan appears more certain than before. Although a shroud of mystery continues to envelop the original decision to truncate them from the homeland, there is now much less doubt as to the future status of the Ryukyus.

II

The history of Japanese influence in the Ryukyus indicates that the formal integration of the islands with Japan Proper was but the natural culmination of a process of cultural, economic, and political assimilation which had extended over three centuries.¹⁴ Whatever "violence" may have occurred in the process took the form of mild coercion quite acceptable in the international politics of the time. The first coercive nudge came as early as the seventeenth century, sometime before the more predatory thrusts which characterized the imperialism of Western nations.

The origins of the Ryukyu people¹⁵ cannot be traced with a high degree of scientific precision, but it is probable that they were parts of certain tribes which migrated from the Asiatic mainland to Japan Proper.¹⁶ An ancient legend first recorded in 1605 A.D. links the ruling family of the Ryukyus with royal blood in Japan. The legend is found in one of the earliest histories, *Chūzan Sekan*, compiled in 1650 by Chōshu Haneji,¹⁷ and is repeated in subsequent his-

¹³ A complete examination in Japanese of the question of ownership of the Kuriles is that of Toshio Ueda, *Ryōdo Kizoku Kankei-shi: Bonins, Sakhalin, Kuriles, Ryukyu* [History of Territories Adjacent to Japan Proper: Bonins, Sakhalin, Kuriles, Ryukyu], *Heiwa Jōyaku no sōgō Kenkyū* [Peace Treaty with Japan: A Symposium], 2 vols. (Tokyo, 1952), Vol. 1, pp. 121-96.

¹⁴ For an account of this assimilation, see the chapter by Professor Nagao Ariga in *Japan by the Japanese*, ed. Alfred Stead (London, 1904), pp. 151-72.

¹⁵ See appended Bibliographical Note.

¹⁶ There is evidence to support the assumption that the Amabe tribe which settled in the Ryukyus was closely related to the tribes which migrated to Japan. The contemporary Okinawan historian, Kanjun Higaonna (Higaonna is the Okinawan rendition; Higa-shionna is the name by which he is now known in Tokyo) summarizes this evidence in *Outline of Okinawan History* (Tokyo, 1950), p. 1.

¹⁷ Higaonna, *Outline of Okinawan History*, pp. 5-6. The ancient work *Chūzan Sekan* [Mirror of the Generations of Chung Shan, i.e. Ryukyu] is said to have been compiled in 1650 by Chōshu Haneji. A copy of this work was microfilmed by the Department of State and is reported in *The Department of State Bulletin*, Vol. 28, p. 819 (June 8, 1953).

stories. It is said that Tametomo, a distinguished warrior of the Minamoto clan and descendant of a former emperor, after defeat by the Taira clan in 1165, escaped to the Ryukyus. Here he married the sister of an official of Naha and became father of a gifted son who later became Shunten, first king of a new and able line of Ryukyuan rulers. The story, even though unsubstantiated by clear historical evidence, has nevertheless been regarded as history. Among people placing great value on lineage and unbroken imperial rule, this story has powerful emotional force in establishing cultural bonds between the Ryukyus and Japan Proper.¹⁸

Japanese interest in the Ryukyus has been complicated by a maze of relations between the islands and China. The Chinese had tried, without success, to subject the Ryukyus to their control as early as 610 A.D. and again in 1291.¹⁹ They were more successful after the Ryukyus were internally weakened by division into three separate kingdoms, and in 1373 an envoy was sent to pay tribute to China.²⁰ Chinese families began to arrive in 1391 and settled at Kume-mura at the outskirts of Naha. These immigrants were a bridge for the infusion of Chinese culture, although they seem to have become assimilated into the indigenous society after a few generations.²¹ For the next two centuries the Ryukyus existed as a nominally independent kingdom paying tribute to China. While this tributary relationship had some outward appearance of formal subordination to Chinese sovereignty, the actual relationship was quite different. The tributary concept in ancient Chinese international relations was unlike the modern concepts of imperialism, protectorates, or spheres of influence. Ancient

¹⁸ The Tametomo story can be neither substantiated nor disproved. Western as well as Japanese histories retell the story with no indication of the possibility of its legendary character. Among the standard Western historical works which do not distinguish it from more authenticated historical data are: James Murdoch, *A History of Japan*, 3 vols. (London, 1925), Vol. 1, pp. 311-12; Leavenworth, cited in appended Bibliographical Note, p. 107; Roy Hidemachi Akagi, *Japan's Foreign Relations* (Tokyo, 1936), p. 59. Commodore Perry repeats that "the race of kings reigning in Lew Chew is related to the imperial family of Japan. . . ." *Narrative*, Vol. 1, p. 253. Among those expressing doubt as to the authenticity of the story are: Higaonna, *Outline of Okinawan History*, p. 8, and Basil Hall Chamberlain, "The Luchu Islands and their inhabitants" *Geographical Journal*, Vol. 5, p. 316 (April, 1895). Professor Haring maintains that the Tametomo story is probably a deliberate fabrication by the Japanese to support their control over the islands. See Douglas G. Haring, *The Island of Amami Ōshima in the Northern Ryūkyūs*, pp. 74-75, (cited in appended Bibliographical Note).

¹⁹ Henri Cordier, *Histoire Générale de la Chine*, 4 vols. (Paris, 1920), Vol. 1, pp. 398-99; Vol. 2, p. 315.

²⁰ S. Wells Williams, "Political Intercourse between China and Lewchew," *Journal of the North China Branch of the Royal Asiatic Society*, Vol. 3 (new series), p. 83 (1866).

²¹ In Western histories it is generally stated that "36 families" arrived from China. For example, Cordier, citing Leavenworth, states that ". . . l'empereur envoya 36 familles chinoises dans les fles." *Histoire Générale de la Chine*, Vol. 3, p. 8. Professor Higaonna, however, asserts that the term "36 family surnames" was metaphorical, and referred to the inhabitants of the lower reaches of the Min River in Fukien province. Moreover, he continues, they came over a period of years rather than as one group. Higaonna, *Outline of Okinawan History*, pp. 15-18.

China viewed the world as a unified brotherhood rather than as a group of warring, competing, independent states. When smaller kingdoms paid tribute to the Heavenly Kingdom, it was in acknowledgment of China's superior status as teacher rather than as legal sovereign.²² The Chinese exerted no control over Ryukyuan government and maintained only infrequent contact with it. The looseness of the tribute relationship is indicated by the manner in which the investiture requirements were met. The Ryukyus were required to inform China of each new accession to the Ryukyuan throne so that the formality of a Chinese investiture could follow. But Ryukyans often waited from three to twenty years before reporting to China a new accession, and sometimes the ruler died before China was informed he had ascended the throne.²³ As for the payment of tribute itself, this practice carried with it valuable trade privileges which were economically advantageous to the Ryukyus. Indeed, when China reduced the tribute payments to once every ten years, the anxious Ryukyans succeeded in getting the Chinese to increase them to once every three years.²⁴ From this and other substantial evidence there is general agreement that tribute-payment was really a conveniently agreeable guise for profitable trade with China.²⁵

During the time the Ryukyus paid tribute to China, they also did obeisance to Japan, regarding China as mother and Japan as father.²⁶ Although Japan's control of the islands varied—Okinawa being held chiefly by economic ties, Amami Oshima by rather heavy-handed political techniques—she exerted more effective sway over the islands than did China. The Satsuma clan of Kyushu sent an expedition to Okinawa in 1609 and took the Ryukyuan king and other officials to Japan. The reason for this expedition was presumably to force the resumption of tribute payments which had become too great for the Ryukyans to meet during Japan's invasion of Korea (1592-98). The more important reason, however, was to recover profitable trade relations with China which the Celestial Empire had stopped in the middle of the sixteenth century.²⁷ The Ryukyuan king, Sho-nei, was allowed to return to Okinawa after a two-year sojourn in Japan, but he returned only after signing a statement clearly indicating that the Ryukyus were to be a dependency of Satsuma.²⁸ China, impressed by the recent display of Japanese strength in Korea, sent no military assistance to

²² See especially an excellent statement on tribute-bearing by the American diplomatic representative in Japan in 1875 in *Foreign Relations of the United States, 1875*, Vol. 1, p. 313. For a general study on tribute-bearing during the Ch'ing dynasty (1644-1838), see J. K. Fairbank and S. Y. Teng, "On the Ch'ing Tributary System," *Harvard Journal of Asiatic Studies*, Vol. 6, pp. 135-246 (June, 1941).

²³ Kanjun Higaonna, *History of Foreign Relations of Okinawa* (Tokyo, 1951), p. 11.

²⁴ *Ibid.*, p. 14.

²⁵ See documents as quoted in Yoshio S. Kuno, *Japanese Expansion on the Asiatic Continent*, 2 vols. (Berkeley, 1940), Vol. 2, pp. 288-93. For a general analysis of trade relations between Japan and China during this period, see Wang Yi-t'ung, *Official Relations Between China and Japan 1368-1549* (Cambridge, 1953).

²⁶ Higaonna, *History of Foreign Relations of Okinawa*, p. 52.

²⁷ Translations of documents showing the desire for trade can be found in Kuno, *op. cit.*, pp. 290-93.

²⁸ See Kuno., pp. 288-89, for text of this signed statement.

the Ryukyuan people and did not protest the Japanese conquest of the islands.

The formal suzerainty exercised by Japan after 1609 accentuated the comic-opera position of the Ryukyus paying allegiance to its two Asian neighbors, regarding them metaphorically, at least, as parents. The Satsuma fief, anxious to tap trade relations between China and the Ryukyus, encouraged the Ryukyuan to continue their tribute relationship with China and to deny any formal relationship with Japan. The extreme to which this duplicity went is illustrated by an extract from an official notice posted by the Japanese on Okinawa at the time of the arrival of a coronation ship from China:

In case ships arrive from Satsuma while the coronation ship is at anchor, the Okinawan authorities are required to hide from the Chinese the names of the Japanese era, names of the Japanese aboard the ships, Japanese books and any other things which it is undesirable to allow to come under the notice of the Chinese.

You should refrain from singing Japanese songs or using the Japanese language. In case the Chinese speak to you in Japanese you should pretend not to understand.

You should avoid Japanese-like customs.²⁹

It is probable that this behavior was followed in dealing with Perry's expedition when it first arrived in 1853. That this may be so is suggested by the uncertainty which members of the expedition felt with respect to the status of the Ryukyus vis-à-vis Japan and China. Dr. Bettelheim assured Perry upon his arrival that the Ryukyus were "to all ends and purposes, an integral part of Japan." He supported this conclusion with five observations: (1) a Japanese garrison was stationed at Naha; (2) trade was entirely with Japan; (3) Japanese were numerous on Okinawa, had intermarried, and seemed completely at home; (4) Japanese officials were always present when he (Bettelheim) conferred with Okinawans; and (5) language, customs, "virtues and vices" corresponded to those of Japan.³⁰ The official interpreter, S. Wells Williams, seemed to share this view at first. He wrote on June 8, 1853: "I look upon Lewchew as a dependency of Satsuma [sic]. . . That principality monopolizes the trade and manages the relations and policy of the island . . ." ³¹ Earlier Perry had described the islands as " . . . said to be dependencies of Japan . . . [They come] . . . within the jurisdiction of the Prince of Satsuma, the most powerful of the Princes of the Empire . . ." ³² In a dispatch on January 25, 1854, he again described them as a "dependency of the Empire [Japan]." ³³ Assuming as he did that the Japanese were dominant if not sovereign on the islands, it is easy to imagine his surprise when the Ryukyuan objected to being called an independent nation for fear of offending the emperor of China. Their objection arose from the preamble of a treaty draft in which Perry referred to the United States and Lew Chew as though they were two independent states. Describing this objection Williams

²⁹ As quoted in Higaonna, *History of Foreign Relations of Okinawa*, p. 33.

³⁰ *Narrative*, Vol. 1, pp. 254-55.

³¹ Williams, "Political Intercourse between China and Lewchew" (cited in note 20), p. 26.

³² As quoted in *Treaties and Other International Acts*, Vol. 6, p. 554.

³³ *Ibid.*, p. 588.

states: "The admission of being tributary to China seemed to please them, rather than be a humiliation, and the real fealty they are in to Satsuma must be a sore subject and a grievous burden, or it would hardly be so mortifying to them to say aught respecting it."³⁴ Perry appeared to be less certain of the status of the Ryukyus than he was when he made his earlier statements. In his final expression of opinion on July 18, 1854, he stated:

Lew Chew, it appears, is in a measure an independent sovereignty, holding only slight allegiance either to Japan or China, but preferring rather its relationship to the latter Empire; that the Islands stretching from Formosa to Kiusiu are all under its sovereignty, and are in such intercourse with the parent Island Great Lew Chew, as the imperfect character of their means of navigation will allow.³⁵

Neither Perry nor Williams, astute observers though they were, could be expected to see through the remarkable "doublefaced allegiance" which Ryukyuan rulers had been compelled to perfect in their every attitude and action. Their initial observations supported by Bettelheim's experience of eight years' residence on Okinawa were more accurate than their later conclusions. Power, in fact, was exercised by a Resident appointed by the Satsuma *daimyo* in Japan, and the statement signed by King Sho-nei, pledging allegiance to Satsuma, was enforced.³⁶

The complete reorganization of government which marked the beginning of the Meiji Era in Japan profoundly affected the status of the Ryukyus. The Ryukyuan ruler, summoned as early as 1872, finally appeared in Tokyo in 1879 and his kingdom was given fief (*han*) status. In keeping with the treatment of other fief heads (*daimyo*), he was made a peer and given a residence in Tokyo and a sum of 30,000 *Yen*. The United States, mindful of the compact Perry had negotiated with the Ryukyuan rulers in 1854, inquired if Japan would assume responsibility for carrying out its provisions. An exchange of diplomatic notes indicated that Japan would assume the Ryukyuan rulers' obligations. In accepting this transfer of treaty obligations, the United States did not question the new status of the islands as an integral part of Japan Proper.³⁷ France and Holland, having concluded commercial treaties with the Ryukyus in October, 1855, and July, 1858, respectively,³⁸ similarly accepted Japan's assumption of these international obligations. Germany and Italy, shortly after March, 1873, asked Japan for the same commercial privileges in the Ryukyus which had been accorded other nations and the Japanese government assented.³⁹ Thus there was wide acceptance among Western powers of what was generally regarded as a consolidation and integration of a dependency of long standing. Indeed, this integration does not seem to differ much from the wholesale conversion of feudal

³⁴ Williams, p. 240.

³⁵ As quoted in *Treaties and Other International Acts*, Vol. 6, p. 753.

³⁶ Murdoch, *A History of Japan* (cited in note 18), Vol. 3, p. 534.

³⁷ *Foreign Relations of the United States, 1873-4*, Vol. 1, pp. 554-55, 564.

³⁸ Higaonna, *History of Foreign Relations of Okinawa*, pp. 46-47.

³⁹ For exchange of correspondence between Italy and Japan, see *British and Foreign State Papers, 1873-4*, Vol. 65, p. 740.

states within Japan Proper to the status of prefectures under a strong central government and a restored Meiji Emperor.

The problem of China's official recognition of the new status of the Ryukyus was more troublesome. Fortunately for Japan, a convenient incident provided an opportunity to raise the issue with China. In December, 1871 a junk had been stranded on the eastern coast of Formosa and 54 of the 66 Ryukyans composing the crew had been killed by Formosan savages. Count Taneomi Soyejima went to Peking and in 1873 discussed the matter with the Chinese, asking how China planned to redress the wrong done to the Ryukyans, who were Japanese subjects. China entered no objection when Sakimitsu Yanagiwara, representing Soyejima, referred to the Ryukyuan sailors as "Japanese subjects." This however, was unofficial, tacit recognition of their nationality rather than positive assurance.⁴⁰ Japan sent an expeditionary force to Formosa in May, 1874, and the result was an agreement signed at Peking on October 31, 1874, giving official documentary character to Japan's claims on the Ryukyus. The Tientsin Agreement acknowledged the Ryukyuan crew to be "Japanese subjects," committed China to recompense their families, and made no reference to the Ryukyus as dependencies of China.⁴¹ Japan moved quickly further to consolidate this diplomatic advantage, objecting now even to a routine tribute mission which the Ryukyus sent to Peking early in 1875.⁴² In May, 1875 Japan announced that it would assume complete control over the islands and integrate them into Japan Proper.⁴³ Finally, in 1879 King Sho-tai surrendered all rights to Japan and retired to Tokyo. Okinawa was made a prefecture in the same year and the long process of integration was complete.

⁴⁰ The discussion between Yanagiwara and the Chinese foreign ministers is reported verbatim by Ariga in *Japan by the Japanese* (cited in note 14), pp. 161-63. The Japanese view of this discussion is that China tacitly assented to calling the Ryukyans Japanese subjects. The Chinese view held that silence did not necessarily imply assent. See Shuhsi Hsü, *China and Her Political Entity* (New York, 1926), pp. 88-90 and Payson J. Treat, *Diplomatic Relations between the United States and Japan*, 2 vols. (Stanford, 1932), Vol. 1, pp. 497-98.

⁴¹ This was the Japanese interpretation of the Tientsin Agreement. Although signed at Peking, this agreement is usually referred to as the Tientsin Agreement, named after the place where it was negotiated. For English and Chinese texts of the agreement see *China, The Maritime Customs, Treaties, Conventions, etc., between China and Foreign States*, 2d ed., 2 vols. (Shanghai, 1917), Vol. 2, pp. 585-86. This treaty series refers to the 1874 agreement as the Peking (rather than Tientsin) agreement. Japanese text accessible in *Nihon Gaikō Bunsho* [*Japanese Diplomatic Documents*] (Tokyo), Vol. 7, p. 317. For detailed historical analysis of the Japanese position see Toshio Ueda, "Ryukyu no Kizoku o Meguru Nisshin Kōshō [Sino-Japanese Dispute over Sovereignty of the Ryukyu Islands]," *Tōyō Bunka Kenkyū Shō Kiyō* [*Journal of the Institute for Oriental Culture*], University of Tokyo, No. 2, pp. 151-201 (Sept., 1951). The Chinese interpretation of the agreement makes no such concession of Japanese sovereignty. Hsü, *op. cit.*, pp. 92-101; and Treat, *op. cit.*, Vol. 1, pp. 568-69.

⁴² An interesting exchange of Chinese and Japanese views on the presence of a Ryukyuan tribute mission in Peking can be found in *Foreign Relations of the United States, 1875-6*, Vol. 1, pp. 314-16.

⁴³ *Ibid.*, p. 313.

The complete annexation of the islands by Japan was not accomplished, however, without considerable diplomatic resistance by both China and the Ryukyuan monarch. An uncle of the deposed Ryukyuan king went to Peking and appealed for help.⁴⁴ Ryukyuan envoys went to Tokyo and asked the ministers of the United States, France, and Holland to intervene.⁴⁵ John A. Bingham, American minister to Japan, was disposed to take the Ryukyuan and Chinese side against the Japanese, but was cautioned by the State Department to regard this as a matter between China and Japan alone.⁴⁶ As tension between these two nations increased, the services of ex-President Grant, who was then in Japan, were sought. Grant had studied the matter earlier and after hearing both sides sent identical letters to Japan and China in which he made no proposals for direct solution of the Ryukyuan question but suggested that commissioners be appointed by both governments to resolve the question.⁴⁷ A plan for partitioning the islands, reputedly drawn up by Bingham, was rejected by China and the Ryukyuan envoys and in January, 1881 Tamaka Shishido, the Japanese member of the negotiating conference, left Peking, thus closing the efforts to prevent annexation.

The foregoing summary of diplomatic relations between the Ryukyus and Japan is hardly suggestive of territorial aggrandizement of the same character as Japanese actions in Korea and Manchuria. That the islands were taken after 1914 is, of course, manifestly untrue. That Japan used force in 1609, coerced the integration of the islands, and finally annexed them in 1879 is clear. In view of the character of the Chinese tribute relationship, the many Ryukyuan ties with Japan, and China's acknowledgement of the Tientsin Agreement of 1874, it cannot be said that they were taken from China.⁴⁸ That the United States would have based its action on the "violence and greed" concept of the Cairo Declaration is hardly credible in view of our own overseas expansion following the Spanish-American War. Such a rationale would be simply a disguise for the spoils of victory. It is difficult to avoid the conviction that seizure of the Ryukyus was based either on a misreading of history (as in the case of the Kuriles) or on a singularly prophetic wisdom, which, calculating the Soviet threat, provided us with a Pacific bastion of protection.

⁴⁴ A translation of the Ryukyuan appeal to China can be found in Hsü, *op. cit.*, pp. 95-97.

⁴⁵ *Foreign Relations of the United States, 1879*, pp. 606-8, 637-38.

⁴⁶ Treat, *op. cit.*, Vol. 2, p. 73.

⁴⁷ See Treat, Vol. 2, pp. 101-3.

⁴⁸ This statement is made from the point of view of political and juridical concepts of Western international relations. Considering traditional Chinese diplomacy, however, the Japanese absorption of the islands was improper. Although China was too late in awakening to the concepts and realities of the Western power system, Japan learned and practiced Western diplomacy quickly. Professor Kublin asserts that the Ryukyuan problem was a case study in which ancient Chinese diplomacy and the new Western brand practiced by Japan came to grips and led to the collapse of the Chinese tributary system. See Hyman Kublin, "The Attitude of China during the Liu-ch'iu Controversy, 1871-1881," *Pacific Historical Review*, Vol. 18, pp. 213-31 (May, 1949).

III

While the decision to separate the Ryukyus from the rest of Japan may have been either error or prophesy, it cannot now be rectified or modified by a belated reversal. As the aspirations of the Soviet Union in the Pacific become more evident, restoration of the Ryukyus to Japan in the immediate future appears increasingly unwise. The problem of how best to resolve the dilemma of the status of the Ryukyus has been a formidable one. American administration of the islands was unguided by top-level policy regarding their ultimate disposition until the San Francisco Peace Conference discussions revealed that the Ryukyus were to be treated differently from Japan Proper. The terms of the Peace Treaty pointed to the possibility of trust status under the United Nations with the United States as the administering power.⁴⁹ This proposal, widely discussed in Japan particularly, seems to have been abandoned as early as April, 1953, for at that time the United States had not yet submitted a proposal for trusteeship to the United Nations.⁵⁰ In fact, no such proposal had been made as late as February, 1954.⁵¹ The Dulles statement announcing the restitution of Amami Ōshima to Japan and discussing the future of the remaining islands makes no mention of trusteeship.⁵² This silence is in marked contrast to the considerable discussion of trusteeship at the San Francisco Peace Conference two years earlier.

The Dulles statement of 1953 asserts a disposition on the part of the United States to continue "to exercise its present powers and rights in the remaining Ryukyu Islands . . . so long as conditions of threat and tension exist in the Far East."⁵³ This is not a positive reaffirmation of the notion that Japan has "residual sovereignty" over the islands but it does not repudiate that assumption. The Dulles statement further asserts that the United States will "remain as custodian of these islands for the foreseeable future." Custodianship connotes considerably less than ownership and implies that sovereignty rests with other than the custodial power. This silence on the question of trusteeship and the description of our authority as being custodial and temporary constitute a substantial clarification of our policy in the Ryukyus. In the writer's opinion, this is the best policy which can be developed under existing circumstances in Asia and throughout the world.⁵⁴

The principal alternative policy which has captured the attention of responsible Far Eastern analysts is that which would provide for immediate return

⁴⁹ *Treaty of Peace with Japan*, Chapter II, Article 3.

⁵⁰ Correspondence between the writer and the United Nations Trusteeship Division, April 13, 1953, and between the writer and the United States Mission to the United Nations, April 24, 1953.

⁵¹ Correspondence between the writer and the United Nations Trusteeship Division, February 8, 1954, and between the writer and the United States Mission to the United Nations, February 9, 1954.

⁵² *New York Times*, December 25, 1953, p. 4.

⁵³ *Ibid.*, par. 3 of Dulles statement.

⁵⁴ For further elaboration see the author's article cited in note 1.

of the entire Ryukyu chain of Japan.⁵⁵ A condition of the return would be provision for the maintenance of American military, naval, and air bases on Okinawa. Such a policy would resolve two factors in the Ryukyuan situation which have been troublesome. The first of these is the very serious concern of the United States in maintaining friendly relations with a newly sovereign and sensitive Japan. Since Japan has made abundantly clear her dissatisfaction with the disposition of the Ryukyus, Bonins, and Kuriles,⁵⁶ it seems appropriate to redress whatever grievances lie within our capacity for action. The second factor of tension is the growing strength of the "reversionist" movement among Ryukyuans, concomitant open resentment of American control, and manipulation of this situation by Communist elements both at home and abroad.

The Dulles policy, however, resolves these problems almost as well as would immediate restitution of all the islands to Japan. The return of Amami Ōshima gives evidence to Japan of American good faith and the abandonment of the trusteeship proposal suggests a much more temporary form of control by the United States. The dangers of an eruptive reversionist movement are met in large measure by the return of Amami Ōshima, for it was on this island that reversionist sentiment was strongest and most troublesome. Amamians have always identified themselves more closely with Japan than with the other islands of the Ryukyus.⁵⁷ Public opinion polls revealed that the desire to revert to Japan was much more intense among Amamians than among the inhabitants of Okinawa, Miyako, and Yaeyama. It was in Amami that the reversionist sentiment was whipped up by the People's party (allegedly Communist) and was so successfully manipulated that Amami elected one of the two People's party members to the Ryukyuan legislature on Okinawa. With the return of Amami to Japan, the reversionist movement has lost some of its propulsive force. The United States has now only to cope with the less intense and less organized reversionist sentiment on Okinawa and the other island groups.

If the alternative policy of returning immediately the entire Ryukyu chain to Japan were followed, it would raise problems more serious than those it would resolve. To maintain bases on Okinawa by agreement with a sovereign Japan would be to subject the security of our principal Pacific base to the uncertainties of our relations with Japan. Although official data relating to our military strength on Okinawa are not accessible, it is evident to careful observers that Okinawa has become our most important strategic base in the Pacific. Okinawa-based bombers played an important role in the Korean conflict with their daily "cocktail hour" sorties. It is possible that headquarters of the Far East Command located in Tokyo since the Japanese surrender may be moved to Okinawa. Indeed such a move might be a welcome solution to the embarrassing problem raised by Japan's growing resentment of the presence of American troops in the

⁵⁵ This point of view is cogently developed by Joseph W. Ballantine, "The Future of the Ryukyus," *Foreign Affairs*, Vol. 33, pp. 663-74 (July, 1953).

⁵⁶ See above, note 13, and below, notes 58-63.

⁵⁷ An explanation of this phenomenon is given in Douglas G. Haring, "Amami-Gunto: Forgotten Islands," *Far Eastern Survey*, Vol. 21, pp. 170-72 (Nov. 19, 1952).

main islands. Certainly the extensive construction of concrete quarters, hospitals, and other installations on the southern third of Okinawa indicates a military base of first importance. At the moment, Okinawa is the locus of Western military, naval, and air might in the Pacific; if the Far East Command were moved there, it would become the strategic brain center as well. If the geography of Okinawa were like that of Japan Proper, joint control of this important base might be feasible. In reality however, the entire southern third of Okinawa is a vast network of American military installations intertwined with Okinawan economy and vitally affecting every aspect of Okinawa's life. To cut through this maze of relationships and isolate those elements which are essentially military and those which are civilian would be exceedingly difficult. If this network of administrative-civil-military relations were administered by Japanese, Okinawans, and Americans, the difficulties of language, differing cultural values, and clashing political and economic objectives would tend to make for a disarticulation which might spell the end of orderly, responsible government. Such a condition would constitute a grave threat to the strategic military power, the maintenance of which is really our sole purpose in retaining the Ryukyus. The situation would be even more precarious if the Japanese administrators and Ryukyans were to combine in an anti-American obstructionism—an obstructionism which might be merely an involuntary reaction to the tensions of nearly a decade of military occupation by a Western power, or might be calculated. The motivations for such obstructionism would depend on many political factors, but the net result would be the same.

A final advantage of the Dulles policy should not be overlooked. The policy now provides a fair degree of predictability as to the future status of the islands. In the final analysis, the principal factor behind reversionist sentiment and anti-Americanism has been the uneasiness arising from uncertainty. The Ryukyus were, after all, severed from Japan, the fountainhead of their culture. They seemed to be permanently suspended in a cultureless vacuum, and the deep discontent arising from the sense of this void projected itself in the form of anti-American and reversionist sentiment. The Dulles policy, providing as much certainty to the Ryukyuan future as it is within our power to provide, is likely to give an assurance as to their national destiny that will give some satisfaction and encouragement to Ryukyans. Certainly it will provide a central objective toward which American rehabilitation efforts can be directed.

Although Dulles' refinement of policy may clear the air in Japan and the Ryukyus, more energetic measures are needed to convince the peoples of both areas of our intentions. The anxieties of the Japanese with respect to our objectives in the Ryukyus is indicated by the extended discussion in 1951 of Article 3 of the Peace Treaty by the special committees appointed by both the Japanese House of Representatives and the House of Councillors to study the treaty provisions. Prime Minister Shigeru Yoshida, questioned carefully by Hitoshi Ashida, formerly Prime Minister, asserted that he had no substantial evidence to prove that the Ryukyus would eventually be restored to Japan, but that he

was convinced that this was the American intention.⁵⁸ Dr. Ashida indicated that the Ryukyus were not important as military bases, since the United States already had important bases in Japan and the Philippines, and that the real reason for their retention by the United States might be to keep watch over Japan.⁵⁹ A similar view was expressed by Representative Hanji Ogawa.⁶⁰ Apprehension concerning our purpose in keeping the islands was expressed also in a meeting of the Special Committee on the Peace Treaty of the House of Councillors by Councillor Goro Hani,⁶¹ and at a plenary session of the House of Councillors by Councillor Eki Soné.⁶²

In evaluating the comments made by Japanese members of the Diet, some discount must be made for a politically motivated desire to embarrass the Yoshida government. Yet it is not unreasonable to assume that sincere misunderstanding and apprehension existed at the time of the treaty ratification. The apparent elimination of the notion of trusteeship and the return of the Amami group may clarify our position; to bring our position into sharper focus, however, is exceedingly difficult. The Japanese interpretation that our reluctance to return Okinawa and retain military bases by administrative agreement is an indication of our lack of confidence and trust in Japan may, indeed, be valid. If we could be certain that our relations with Japan would always be without serious friction, all the Ryukyus could be returned immediately. But this is an assumption we cannot safely make. Yet in the face of a peace treaty predicated on mutual trust, we cannot officially articulate distrust. Certainly if Japan were to shift its allegiance to the Soviet sphere, the implications of "residual sovereignty" would be changed, and should open conflict break out within that changed pattern, Okinawa might indeed be used as a bastion against a hostile Japan. The threat of such developments dictates the need for greatest caution in formulating our policy toward the Ryukyus. Japanese sovereignty over the islands by implication is residual, but it seems also to be contingent upon continued Japanese friendship with the United States. It is doubtful if a wiser policy could be formulated at the moment, but perhaps more effective explanation of this policy would reduce Japanese fears.

⁵⁸ *Dai 12-kai Kokkai Shūgin Heiwa Jōyaku oyobi Nichi-bei Anzen Hoshō Jōyaku Tokubetsu In Kaigi-roku* [Twelfth National Diet, House of Representatives, Special Committee on the Peace Treaty and the Japanese-American Security Treaty], *Record of Proceedings*, No. 3, October 18, 1951, p. 14.

⁵⁹ *Idem.*

⁶⁰ *Dai 12-kai Kokkai Shūgin Heiwa Jōyaku oyobi Nichi-bei Anzen Hoshō Jōyaku Tokubetsu In Kaigi-roku* [Twelfth National Diet, House of Representatives Special Committee on the Peace Treaty with the Japanese-American Security Treaty], *Record of Proceedings*, No. 9, October 25, 1951, p. 6.

⁶¹ *Dai 12-kai Kokkai Sangiin Heiwa Jōyaku oyobi Nichi-bei Anzen Hoshō Jōyaku Tokubetsu In Kaigi-roku*, [Twelfth National Diet, House of Councillors, Special Committee on the Peace Treaty and the Japanese-American Security Treaty], *Record of Proceedings*, No. 12, November 7, 1951, p. 17.

⁶² *Dai 12-kai Kokkai Sangiin Kaigi-roku* [Twelfth National Diet, House of Councillors], *Record of Proceedings*, No. 20, November 18, 1951, p. 247.

The Dulles statement promised also that the United States would "do all in its power to improve the welfare and well-being of the inhabitants of the Ryukyus." In concrete terms this means (1) that the ground should be prepared for future restitution of the islands to Japan and (2) that our own administration of the islands should be perfected so that discontent among Ryukyuans remains minimal. It would seem appropriate, therefore, to direct attention to some of the problems which face the United States Civil Administration of the Ryukyu Islands.

IV

A policy vacuum in which the American occupation of the Ryukyus was carried on during the formative period from 1945 to 1953 resulted in the ambivalence of an administration without purpose. The failure to establish clear objectives was aggravated by the relative lack of attention given military government of the Ryukyus by the Far Eastern Command in Tokyo. From the invasion until July 1, 1946 the United States Navy governed the islands. Naval personnel in charge during this period were trained specifically for military government work. After July 1, 1946 the area was placed under Army control and the Far Eastern Commander was charged with responsibility for administration of the islands.⁶³ The importance of this obligation was eclipsed by the spectacular quality of the occupation of Japan Proper and, after 1950, by the pressing demands of the Korean conflict. After July 1, 1946 the Ryukyus seemed to be regarded as a kind of "Siberian outpost" of Japan. The net results were a generally lower competence of the people assigned there and the absence of the rigid command controls which distinguished the occupation of Japan.⁶⁴

Under these circumstances it is surprising that the occupation progressed as well as it did. For the first five years the herculean task of physical rehabilitation of the islands commanded the attention and energies of American administration; hence the absence of long-range policy was not acutely felt. In public health and welfare, for example, the safety of our own troops dictated a policy

⁶³ The Far Eastern Commander in Tokyo also bears the title Military Governor of the Ryukyu Islands. The senior military commander present on the islands is designated as Deputy Military Governor and acts in the name of the Military Governor. The actual administration of the islands is delegated to a subordinate organization called United States Civil Administration of the Ryukyu Islands (USCAR). In this article the general term "military government" is used to designate the American occupation administration carried on by the United States Army through the Military Governor, Deputy Military Governor, and USCAR. The term "military government" is used despite awareness that there was once a distinction between this term and "civil affairs." In contemporary usage these terms have lost precision, as is indicated by the use of both "military governor" and "civil affairs" in official titles for occupation officials in the Ryukyus.

⁶⁴ The early period of American military government of the Ryukyus has been almost untouched by extended analysis. For two brief but suggestive studies see Daniel D. Karasik, "Okinawa: A Problem in Administration and Reconstruction," *Far Eastern Quarterly* Vol. 7, pp. 254-68 (May, 1948) and Clellan S. Ford, "Occupation Experiences on Okinawa," *The Annals of the American Academy of Political and Social Science*, Vol. 267, pp. 175-83 (Jan., 1950).

of epidemic control and public health measures which moved on their own momentum without regard for ultimate objectives. Similarly in education the demands of physical rehabilitation overshadowed speculation as to the ultimate status of Ryukyuan schools. In developing a pattern for government, it was impossible to satisfy future needs since the future was unknown. Ryukyuan society itself was in trauma and this did not encourage abstractions as to the ultimate destiny of the islands. As the problems of physical rehabilitation were resolved, both Ryukyuan and American attention were directed to the need for adjusting further developments to a determination of the islands' status. The government which was developed in the Ryukyus under American guidance followed the general outlines of occupation policy in Japan. There were some important differences, however, which will have a bearing on the problem of restoring the islands to Japan. The opportunity for experimentation and indulgence in fads was greater in the Ryukyus than in Japan, since there was no well-established, sophisticated Ryukyuan government to temper the enthusiasm for reform with the natural restraints of tradition, culture, and experience.

A more important difference lies in the fact that the Ryukyuan occupation looked to changes in Japan's national rather than prefectural government. This departed sharply from the past, for Okinawa had been merely one of 47 prefectures subordinate to a highly centralized unitary government whose control center was in Tokyo. In the absence of any indication that the Ryukyus were ever again to have prefectural status in Japan, this overdevelopment of Ryukyuan government was inevitable. Indeed, had the Ryukyus become a trust territory (and before 1953 this seemed to be the most likely possibility), this development of the government would have been highly desirable, since it would have given the Ryukyus the quality of independence and experience suitable for a trust territory under United States administration.

Another factor which led to the establishment of a government of large dimensions was the incorporation of Amami-Ōshima into the all-Ryukyuan government. Since the restitution of Amami could not be foreseen, this could hardly be avoided. Yet it was a wedlock fraught with difficulties. It flew in the face of tradition, for Amami had no ties with Okinawa and had been a part of Kagoshima prefecture for some time. Amamians distrusted Okinawans and resented being placed under their domination. The reversion of Amami required an adjustment in Ryukyuan government. Even so, in the face of reversion of the remaining islands to Japan, the Ryukyuan government still seems somewhat out of scale. Yet it is unreasonable to expect American administration to have developed a prefectural type of government, for this would have required a network of relations with the Japanese government which would be possible only if the islands were part of Japan.

This dimensional expansion of Ryukyuan government is likely to make difficult the reabsorption of the islands by Japan. The experience gained by Ryukyuan government and its close and long contact with American officials have developed a sense of responsibility and a competence surpassing anything the Ryukyuans knew under pre-occupation Japanese rule. It will probably be diffi-

cult for Ryukyuan leaders to submit again to the subordinate position of a kind of country-cousin prefecture under Japanese domination. Unless the Japanese government understands that the Ryukyus have developed in governmental competence to a position equalling at least a middle-rank prefecture in Japan Proper, the reintegration of the Ryukyus is likely to be marked by unnecessary tensions. There is very little that American administration of the islands can do to remedy this aspect of the predicament, and it is likely that some of our efforts will aggravate the situation. We must improve the character of Ryukyuan government simply to reduce the expense of the occupation; yet, paradoxically, as the government improves, the hiatus between the Ryukyuan government and Japan is widened.

There is much that can be done otherwise to prepare for the return of the islands to Japan. The pattern of government should be modified so that it resembles prefectural government in Japan as closely as possible. This would mean changing the parliamentary type of government which has been developed (and which resembles the National government of Japan) to a presidential type as in Japanese prefectures. Some changes cannot be made until Japan actually assumes responsibility for the islands. The tax structure, for example, would have to continue as a national tax structure until Japan assumed responsibility for the extensive pattern of grants-in-aid which gives fiscal sustenance to Japanese national-local relations. Similarly, the chief executive of the Ryukyus would not be able to exercise the national powers which are part of the responsibility of Japanese prefectural governors.⁶⁵ On the other hand, such a feature as the separate school tax found in the Ryukyus, but not in Japan, could probably be modified to correspond to the Japanese system without excessive stress. Adjustment of Ryukyuan government to the Japanese prefectural pattern would be complicated further by the changes which will probably occur in Japanese government during the next few years. For example, there are strong indications that the police system of Japan will again become nationalized, and that the decentralized government evolved under the occupation is reverting to prewar centralization. These changes in Japan may be viewed by many as dangerous retrogressive steps, and there may be a tendency among officials in American military government in the Ryukyus to preserve the "purer type" of government uncontaminated by post-treaty retrogressions in Japan. Such an attitude would aggravate the differences between Ryukyuan and Japanese government and would impede a smooth and uneventful restitution.

Another obstacle to redesigning the contours of Ryukyuan government is the natural tendency of American occupation officials to exaggerate in their own minds the importance of the islands. If this exaggeration found its expression exclusively in quiet devotion to the task, it could not be criticized. Its tendency, however, is to bloat the organization of government and to distort the perspective in which the whole task should be viewed. Ryukyuan society is essentially village society, as an occasional excursion within a mile of Naha should con-

⁶⁵ See the author's "Executive Power in Japanese Prefectural Government," *The Far Eastern Quarterly*, Vol. 9, pp. 231-45 (May, 1950).

vince the most ambitious administrator. Of the 86 entities of government, 69 were classified as villages in 1952.⁶⁶ This fact alone is a rather telling indication that the islands are more comparable to a prefecture than to a major nation. Failure to study societal patterns of villages even more primitive than Japanese villages leads to American actions and patterns of control based on erroneous sociological assumptions and delusions of metropolitan grandeur. Distortion of the proportions of native government and of the character of native society produces a needlessly complex and overgrown Ryukyuan government and a correspondingly proliferate military government. Since salaries, civil service rank, and prestige of both Americans and Ryukyuans are involved in this expansive administration, uncommon courage and candor will be required if the dimensions of either organization are to be reduced.

One of the most effective ways of reorienting Ryukyuan affairs to Japan would be to clarify the citizenship of Ryukyuans and lift the restrictions on travel between the two areas. The present "statelessness" of Ryukyuans is bewildering and degrading. Citizens of neither Japan nor the United States, nor even of a Ryukyuan nation, Ryukyuans are subject to stringent travel restrictions. Japanese contractors and laborers working on Okinawa have been regarded as friendly nationals since the ratification of the Japanese Peace Treaty and have enjoyed various benefits, including higher wages and American Army post exchange privileges. It is disquieting to Ryukyuans to see the Japanese treated in this way while Ryukyuans are still regarded as enemy nationals. In the present circumstances it is unlikely that Japanese citizenship can be restored to Ryukyuans, but some interim status should be devised which will place them on exactly the same level with Japanese. This interim status should carry with it the right of unrestricted travel (except for permanent migration) to Japan and other nations. Improvement in the status of Ryukyuans would not only promote cultural relations with Japan but would also remove a source of serious dissatisfaction with American rule.

The exchange-of-persons program which has sponsored visits of Ryukyuans to the United States should be focused on Japan. The character of the program might also be improved. Formerly many students, teachers, government officials, and other leaders were sent to the United States, and while the results may have been statistically impressive, the actual effects on Ryukyuan conditions are somewhat doubtful.⁶⁷ The emphasis on numbers of people sent rather than quality of those selected seems to have made the program less successful

⁶⁶ The dimensions of Ryukyuan government can be even more clearly seen when this fact is compared to the organization of prefectures in Japan. The smallest (in terms of administrative divisions) prefecture in Japan in 1945 was Tokushima, which had one city, 42 towns, and 91 villages. *Administrative Subdivisions of Japan* (Department of State, 1946), p. 473.

⁶⁷ The Office of the Chief of Civil Affairs and Military Government, Department of the Army, has been publishing in January and July the *Semi-Annual Report of Stateside Activities Supporting the Reorientation Program in Japan and the Ryukyu Islands*. The last report was changed to an *Annual Report* and appeared for the period ending July, 1951. These reports indicate the extent of the exchange-of-persons program for the Ryukyus.

than spectacular. It would be more effective to send a few able Ryukyuan to Japanese schools or universities for four or five years than to send many mediocre people for shorter periods. If this shift from quantitative mediocrity to the cultivation of an elite leadership is to be made, American administrators in the Ryukyus, as elsewhere, will have to disentangle themselves from the quantitative egalitarian bias which infects much of American public education.

The extensive use of Japanese experts in public administration would also facilitate the development of Ryukyuan government in a Japanese mold. This kind of help should be sought particularly in those activities which have departed excessively from the Japanese norm (as in the organization of the executive branch of the Ryukyuan government) and in other activities which urgently need strengthening (such as tax administration).

No single plan or technique thus far suggested is the real key to the problem of rendering Ryukyuan and Japanese government compatible. The crucial factor is wholehearted acceptance of a clearly-defined policy which asserts the inevitability of restoration of the islands to Japan.

V

One of the principal criticisms of American administration of the Ryukyus is that it continues to be of a military character. This allegation assumes that military organization, being authoritarian, cannot stimulate the growth of constitutional democratic forms. Yet since democratization was never more than a secondary objective in the Ryukyus, this theoretical problem of "democratization by force"⁶⁸ is not the point which exercises critics of the occupation. The military character of our control of the Ryukyus is attacked chiefly on the ground that civil Ryukyuan problems are subordinate to American military considerations. This trampling on Ryukyuan rights is injurious to Ryukyuan pride and dignity and, to the Ryukyuan at least, seems to be proof of the essentially selfish interest of the American occupation. Responsible Ryukyuan officials regard this as one of the chief sources of dissatisfaction with American control. The replacement of a uniformed general by a civilian commissioner in mufti, the argument continues, would rectify this deficiency in American administration.

To lay the problem of defective administration at the door of military brass is naively to oversimplify; yet this very quality of simplicity makes it an inviting panacea. Some Ryukyuan have cited as a model the eminently successful American administration of the Trust Territory of the Pacific under the civilian leadership of the late ex-Senator Elbert D. Thomas.⁶⁹ Others have noted that

⁶⁸ Elsewhere an effort was made to analyze the "paradox of democratization by force." In both Japan and the Ryukyus the character of occupation administration was considerably less military and much more civilian than is generally supposed. See the author's "The Role of Administration in the Occupation of Japan," *The Annals of the American Academy of Political and Social Science*, Vol. 267, pp. 154-63 (Jan., 1950).

⁶⁹ Conversations between the author and Ryukyuan government officials at Naha, Okinawa, in June, 1952.

even Japan used civilian administration in the control of annexed Korea after 1919.⁷⁰ Neither comparison is fair. The administration of the Trust Territory of the Pacific, a responsibility of the Department of the Interior since its transfer from Navy control in 1951, is simpler than that of the Ryukyus. It embraces none of the military problems which derive from the strategic objectives of our control of Okinawa as our primary Pacific base.⁷¹ Japan's use of a civilian governor-general after the 1919 reforms in Korean administration is deceptive, for the Japanese government itself was dominated by the military and the supremacy of the civilian governor-general over military forces in Korea was more illusory than real.

Ryukyuans are not alone in advocating civilian control of their islands; responsible American officials in military government and in the Department of State, as well as private citizens, share this point of view.⁷² Evoking latent American distrust of uniformed military rule, such criticism finds ready acceptance. Yet it is a criticism highly overgeneralized. Substitution of civilian for military rule is not necessarily the answer to the problem of improving our administration; indeed the advisability of civilian rule is open to serious question. The four factors discussed below bear on this criticism and deserve further exploration.

1. However sympathetic one may be to Ryukyuan problems, a simple, unpopular truth must be faced: our primary mission in the islands is strategic. Accordingly, military necessity must often trample over Ryukyuan interests. This happened in the appropriation of land for military and air bases, in the construction of highways, and in other activities. Indeed, our very presence in the islands is in violation of the wishes of the Ryukyuans. So long as our mission remains primarily that of Pacific security, the character of our administration must reflect the ascendancy of military considerations. It is possible that civilian control might be too sympathetic to native interests and would thereby jeopardize the internal military strength of the islands. To those deeply concerned with problems of national self-determination, and with personal rights and dignity, this will be a difficult fact to face. Yet it owes its derivation neither to a greedy military establishment nor to a national policy of aggrandizement, but rather to the grim dilemma posed by cold war.

The case for clear-cut military domination of the islands has greater cogency when it is linked to our total Pacific defense strategy. The importance of the Ryukyus as a military base increases with each successive crisis in Indochina, Quemoy, and elsewhere in Asia. It is important, therefore, that the command

⁷⁰ *Idem.*

⁷¹ Conversations between the author and the late Elbert D. Thomas, High Commissioner of the Trust Territory of the Pacific, Honolulu, T. H., September, 1952.

⁷² See, for example, a statement by a missionary on Okinawa: "It is the general opinion that the fault lies in the fact that our occupation is still of a military character. Let the army run its bases, but let a civilian administration be appointed to deal with the people." Otis W. Bell, "Play Fair with Okinawans!", *The Christian Century*, Vol. 71, pp. 76-77 (Jan. 20, 1954).

of the Ryukyus be lodged in military hands integrated closely with and subordinate to the Far East Command in Tokyo. To place the Ryukyus under civilian control at this juncture might loosen Pacific military organization by introducing elements of conflicting and overlapping responsibilities and muddled channels of command. In any event, whatever proposals are made to civilianize our control of the islands should be made in the context of our security mission there and of our total defense strategy for the Pacific.

2. The assumption that an organization commanded by men in uniform is necessarily unsympathetic to native, civil problems must be suspect. There has been real and significant concern for Ryukyuan problems within the organization (United States Administration of the Ryukyu Islands—USCAR) specifically charged with responsibility for Ryukyuan affairs. This organization, though commanded by a military official, is staffed at such key policy posts as those in economics, education, finance, government, and public services by civilian officials. They tend, quite naturally, to be partisans (if not crusaders) for their clientele—the Ryukyuans. To the extent that this attitude is shared by the military officers of the organization, it becomes generalized as an institutional point of view. Despite frequent changes in commanding generals, USCAR had identified itself quite clearly with Ryukyuan interests. In this respect it has been all too frequently at loggerheads with its superior headquarters, the Ryukyus Command (RYCOM), whose commanding general is responsible for both military troop affairs and civilian Ryukyuan affairs. Most Ryukyuan and many American critics of American administration of the islands are unaware that USCAR's concern for Ryukyuan affairs has often led to considerable stress and bitterness between USCAR and RYCOM. The USCAR attitude shows the possibility of a military organization becoming infused with an essentially civilian point of view—a phenomenon earlier noticed in the conduct of the occupation of Japan.⁷³ The crucial factor is not whether American organization is essentially military or civilian, but rather whether the organization whose primary responsibility is civilian affairs is in a relationship equal or superior to the organization administering military affairs. While this juxtaposition of military and civilian considerations is not recommended by the present writer, it should be cited as a means of accomplishing ascendancy of civilian interests within a military occupation organization. Critics of our military control of the Ryukyus should note that the subordination of native interests is due less to the military character of our organization than to the status of USCAR as the echelon administering Ryukyuan affairs.

3. A weighing of the alternatives to military control may dampen the ardor of those who would propose drastic shift of responsibility to civilian authorities. Assume that a civil commissioner were appointed and military forces on Okinawa were subordinate to him. To what unit of government would the civil commissioner be responsible? If he were responsible to the Department of the Army, would he be subordinate to the Far East Command in Tokyo or would

⁷³ See note 68.

he answer directly to either the Chief of Staff or Secretary of the Army in Washington? Certainly he could not be within the Department of the Army yet independent of the Far East Command without raising grave problems of lateral coordination and jeopardizing the unity of our over-all command of the Pacific. Such an alternative would raise problems greater than those which it purports to solve—the only advantage would be the specious one of having a commissioner in mufti rather than a general in khaki.

It is equally doubtful that any real improvement would result from appointment of a civil commissioner responsible to a civilian branch of government. This would require that the American military establishment in the Ryukyus be answerable to an authority different from that to which the civil commissioner would report. Coordination of military and civil affairs would be precarious at best. What civilian branch of government would be prepared to administer such an activity? In the face of established policy limiting its activities (quite rightly) to those of a diplomatic staff arm of the Chief Executive, the Department of State would not attempt to operate such a government. Nor is adequate guiding precedent to be found in the fact that the State Department has been directly involved in the occupation of Germany with John J. McCloy and James B. Conant as Commissioners. The German situation had complex elements of quadripartite administration and international diplomacy calling for the greatest diplomatic finesse. Moreover, the construction of a democratic Bonn government and the industrial rehabilitation of a major European industrial power within a quadrilateral context were tasks highly charged with diplomatic content. While elements of a diplomatic situation are found in the Ryukyus, the occupation is much simpler and much more military.

The only remaining branch of government with a legitimate historical interest in governing overseas areas is the Division of Territories and Island Possessions of the Department of the Interior. But if responsibility for the Ryukyus were lodged here, civilian and military responsibilities would again be divided in a manner potentially injurious to Pacific security.

Nor would the administration of the Ryukyus by a civilian agency assure a higher quality of personnel assigned to the islands. Lacking systematic experience in overseas administration, we have no cadre of dedicated civil servants trained in dealing with Asians who could be called upon to devote their professional talents to the rectification of Ryukyuan affairs. As careful as recruiting might be, well-established, successful, able men are difficult to attract. Many of those finally recruited are likely to be motivated by adventure, higher salary, or desire to escape some problem in American society. The net result of such a selection would probably not be an improvement over military personnel assigned arbitrarily to duty in the Ryukyus. In the face of such serious inadequacies in our own governmental capacity to deal with problems of overseas administration, it is difficult to find an alternative to army control so clearly superior as to outweigh the strategic considerations which, in this writer's opinion, require continued, unified military direction.

4. Advocates of conversion from military to civilian control should consider

that military government on the islands is already nearly ten years old. A substantial body of knowledge and experience has been developed. Such experience is best transmitted through a slowly evolving administration rather than one which would undergo radical reorganization. Some value should be placed on the merits of unbroken continuity as a means of insuring maximum security in the Pacific.

The foregoing arguments against the development of civilian control are merely suggestive of problems to be assessed; they are by no means conclusive. On the other side, it must be admitted that civilian control would have pleasant symbolic meaning to Ryukyuans and would probably make our administration somewhat more palatable. Certainly it is essential that some significant change in the conduct of our military government take place. While the return of Amami has apparently somewhat blunted native antagonism, there are indications that considerable dissatisfaction with American rule remains. A demonstration by Okinawans against the further appropriation of land for military use occurred on December 5, 1953. The demonstrating crowd of Okinawans⁷⁴ dispersed only after the intervention of American troops. This incident, although generally unreported in the United States press,⁷⁵ is of significance as an index of unrest. Villagers of Gushi-ku, Oroko-son assembled around construction operations which were to start the conversion of important cultivable lands to a new American air installation and housing for dependents. About 300 American troops were dispatched to the scene. After unsuccessfully urging the crowd to disperse, troops moved toward the Ryukyuans (without, however, establishing body contact). Only then did the crowd break up.

The immediate cause of the demonstration was the additional expropriation of land at inadequate rental prices. Gushi-ku, stated the *Ryukyu Shimpō*,⁷⁶ had 320,000 *tsubo* of land before the war. Expansion of American airfields reduced this to the present 60,000 *tsubo*. The villagers maintain that construction of the new airfield will reduce their land-holdings to 4,000 *tsubo*. Failure adequately to compensate Okinawans for their land continues to be a source of bitterness easily exploited by the allegedly Communist People's party. Its ultimate solution requires the appropriation of substantial sums of money for reimbursement of the owners at equitable rates.⁷⁷ Yet the usually cursory attention given by

⁷⁴ Estimates of the size of the crowd vary. The official American publication, *The Ryukyu Review*, published in English jointly by the Ryukyus Command and the Twentieth Air Force and used as a medium for disseminating information to United States Forces personnel, estimates the size as 250 persons. *The Ryukyu Review*, December 6, 1953. An Okinawan paper, however, states both in its news account and in its editorial that at least 1,000 demonstrators were on hand. *Ryukyu Shimpō*, December 6, 1953.

⁷⁵ The only reference to this incident in the American press (to this author's knowledge) is in the article by the Rev. Otis W. Bell (cited in note 72) in which he discusses the land expropriation problem as the immediate cause of the demonstration.

⁷⁶ December 6, 1953.

⁷⁷ An editorial in the *Okinawa Times*, Japanese language paper published by Okinawans, December 8, 1953, states: "The land problem, at first, seems to be a difficult one, but it is not so complicated. The problem could be settled if the United States government

congressional committee review of Department of the Army appropriations for the Ryukyus is not likely to produce adequate analysis of this shameful condition. Indeed, in the 1953 hearings, not only was there no mention of this problem, but an impression was left with the committee that Ryukyuan are satisfied with American administration.⁷⁸

The seriousness of the real discontent which Okinawans feel toward the land problem is glossed over by many American officials who attribute the situation to Communist agitation. Thus the English language publication, *The Ryukyu Review*, in its news article on December 6, 1953 referred to the incident in these terms: "A small band of Communist-inspired demonstrators were peacefully ejected . . ."; "the Communist-led demonstration"; "Farmers refused to harvest their crops at the incessant urging of the Senaga-led Communists"; and "the village people, duped by Communist promises." Granted that the Communists have probably exploited the circumstances, the causes are rooted not in Communist antics but in legitimate dissatisfaction with an inequitable process of land seizure. The head of Gushi-ku stated: "The military is anxious about the interference of the People's party, but there is no such thing. If we lose this area, we have only 4,000 *tsubo* of land left for cultivation. The trouble was a natural explosion for the sake of living. I wish the work could have been suspended. I wonder if the military has ever cared for our future livelihood. We didn't rebel against the military, but it is regrettable that the military sent armed soldiers."⁷⁹

A further symptom of dissatisfaction among Ryukyuan is the success of the allegedly Communist Ryukyu People's party in the elections held early in 1954. Despite military government's clearly expressed dislike of the People's party,⁸⁰ that party succeeded in electing two of its candidates to the Ryukyuan legislature in the 1954 spring election. This represents an increase in the strength of

would consent to disburse from 10 to 15 million dollars for rental fees from her abundant budget. This is far easier for the United States than it is for the Ryukyuan government to disburse ¥100,000. The United States government and not Okinawan landowners makes the problem difficult to solve."

⁷⁸ Hearings Before Subcommittees of the Committee on Appropriations, *The Supplemental Appropriation Bill, 1954*, House of Representatives, 83d Cong., 1st sess. (1953), Pt. I, pp. 1-37, especially p. 25.

⁷⁹ *Ryukyu Shimpō*, December 6, 1953, news account. See also *Okinawa Times*, December 8, 1953 for similar expression of regret that troops were used in a situation that could have been handled by Okinawan police.

⁸⁰ For example, Major General Robert S. Beightler in an address to the first session of the Ryukyuan legislature in 1952 forcefully and directly condemned the Ryukyus People's party as a party "which, if allowed to continue unchecked, can lead to the establishment of a communist dominated regime in these islands." Cautioning the people of the Ryukyus, he continued, "I hope that you will recognize the leaders of the Ryukyus People's party for what they are and do everything within your power to prevent the spread of the dread scourge which they are sowing and which they trust will reach into every mura of the Ryukyus." Public Relations Office, Ryukyus Command, *Address by Major General Robert S. Beightler to Members of the Legislature, GRI, 10 a.m., Tuesday, 19 August 1952* (Mimeographed, 13 pp.).

the People's party, because in the previous election one of the two candidates elected was from Amami-Ōshima. The 1954 election, held after the return of Amami to Japan, resulted in the election of two People's party candidates from Okinawa alone. The composition of the new Ryukyuan legislature gives the People's party a strategic advantage. The 12 members of the Socialist Masses party, the two People's party members, and somewhat less frequently the three Independents, often vote in a block against the 12 members of the Democratic party. Their position is strengthened by the fact that the Speaker and Vice-Speaker of this unicameral legislature are also members of the Socialist Masses party. The current legislature, thus composed, is likely to become a focal point for the expression of embarrassing anti-American sentiments. It appears, therefore, that the military government of the Ryukyus will continue to be faced with political problems not usually found within the province of the military establishment. Some change in organization is needed, but the change should not depart from the requirement of exclusive military control of the situation.

The changes required are subtle rather than spectacular and should probably occur at the policy levels in Washington rather than in the Ryukyus. Army administration of the islands should be subject to some measure of extraordinary scrutiny, since the situation in this last major area under American military control can easily be placed under the spotlight of Communist publicity. Some special recognition, both by the Congress and by the executive branch, seems indicated. Perhaps through congressional action, or at least by executive order, the unusual nature of the Army's mission in the Ryukyus should be acknowledged. Assignment of military personnel to the islands should be reviewed by an agency higher than the Department of the Army and should be exempt from the usual limitations of length of tour and rotation which Army personnel policy ordinarily requires. Only mature officers of demonstrated administrative capacity, with excellent records, unusual education, and temperamental qualifications for political work should be assigned. Commanding generals should be selected for experience and skill in civil government administration and for intellectual capacity to deal with complex social and political problems. They should not necessarily be limited to short tours of duty, which have averaged less than two years.

Top-level guidance of the occupation should be given by an inter-departmental committee which includes the Defense, State, and Army Departments and other members to be appointed by the President. Adequate review of budgetary requirements should be made both by the Bureau of the Budget and by appropriate committees of the Congress. Where deficiencies in our administration of the islands can be remedied by fiscal action (as in the case of reimbursing Okinawan landowners for compulsory "rental" of their lands), appropriate weight should be given to the increasingly sensitive nature of our position in the islands and to the corresponding need for scrupulously correct behavior in administering the islands' affairs. The interdepartmental committee should be served by a permanent secretariat adequate to conduct necessary research and to systematize historical experience so that continuity of policy can be facilitated. The

committee should exert positive rather than nominal guidance and should constantly impress upon the Department of the Army the need for adequate attention to native Ryukyuan affairs. It should lend the weight of its support to Army requests of an extraordinary nature requiring congressional sanction. A plan such as this would preserve the integrity, cohesion, and exclusiveness of control by the military; yet inter-departmental supervision would increase the possibility that civilian Ryukyuan affairs would be adequately considered. Some such recognition of the Ryukyuan situation should be given. The integrity of American constitutional government as exported to the Ryukyus is resisted by Ryukyuans, challenged by Japanese, flouted by less favorably disposed Asians. Carefully considered action by the policy levels of government is required if we are to salvage our perilous ten-year adventure.

BIBLIOGRAPHICAL NOTE

Extensive accounts of the Ryukyus appeared in scholarly publications as early as the first part of the 18th century. The bibliographical comments which follow, while not comprehensive, attempt to survey the principal contributions which have been made.

I. General and Historical Works

Although nearly a hundred items concerning the Ryukyus are recorded in standard bibliographies, almost all are technical studies in such subjects as botany, biology, and topography. See Friedrich Von Wenckstern, *Bibliography of the Japanese Empire*, 2 vols. (Tokyo, 1907) and succeeding volumes of the same series: Oskar Nachod, *Bibliography of the Japanese Empire*, Vols. 1-2 (London, 1928), pp. 651-52; *Bibliographie von Japan*, Vol. 3 (Leipzig, 1931), pp. 349-50, Vol. 4 (Leipzig, 1935), p. 294, Praesent and Haenisch, *Bibliographie von Japan*, Vol. 5 (Leipzig, 1937), p. 361. See also Henri Cordier, *Bibliotheca Sinica*, 2d ed. (Paris, 1906-7), Vols. 3-4, pp. 3007-18, and *Bibliotheca Sinica*, Supplement and Index, 2d ed. (Paris, 1924), p. 4427. George H. Kerr, of the staff of the University of California's Institute of East Asiatic Studies, has compiled a bibliography of some 3000 items on the Ryukyus which is being prepared for publication.

Englebert Kaempfer had mentioned the Ryukyus several times in the first edition of his classic work published in 1727. Kaempfer, *History of Japan*, 3 vols. (Glasgow, 1906), Vol. 2, p. 257; Vol. 3, p. 336. Probably the earliest lengthy description of the Ryukyus first available to Western scholarship was an account by Supoa-kouang (transliteration by Gaubil), a Chinese scholar sent as an emissary to the Ryukyus in 1719. A translation of this account by the French Jesuit missionary, Père Antoine Gaubil, appeared under the title "Memoire sur les Isles que les Chinois appellent isles de Lieou-kieou," which constituted part (pp. 182-245) of the 23rd volume of a long series of letters from missionaries published under the title *Lettres Édifiantes et Curieuses Écrites des Missions Étrangères*, nouvelle edition (Paris, 1781). Early British explorers relied heavily on this account and one, John McLeod, included an English translation of part of the Gaubil memoir in his own book, *Voyage of His Majesty's Ship Alceste, along the Coast of Corea, to the Island of Lew Chew*, 2d ed. (London, 1818), pp. 79-97.

The attention of the British was directed to the Islands in 1797 by the shipwreck of H.M.S. Providence under command of Captain William R. Broughton, who later wrote an account of his voyage. Other seafaring accounts appeared, but few devoted much attention to the political and social institutions of the Ryukyus.

The earliest lengthy account in English was that of Captain Basil Hall, whose *Account of a Voyage of Discovery to the West Coast of Corea, and the Great Loo-Choo Island* (London, 1818) remains a fascinating narrative. Another British naval officer, Captain Beechey, prepared an account of the islands and included in his study an historical summary based

on the earlier works of Kaempfer, Gaubil, Hall, and Klaproth. F. W. Beechey, *Narrative of a Voyage to the Pacific*, 2 vols. (London, 1831), Vol. 2, pp. 143-227.

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Professor Basil Hall Chamberlain added substantially to his grandfather's contribution by further exploration and by bibliographical and linguistic studies. He listed and described Japanese and Ryukyuan sources in his "Contributions to a Bibliography of Luchu" *Transactions of the Asiatic Society of Japan*, Vol. 24, pp. 1-12 (1896). His longer account, "The Luchu Islands and Their Inhabitants," appeared in the *Geographical Journal*, Vol. 5, pp. 289-319, 446-62, 534-45 (April, May, June, 1895). Another early British study was that of George Smith, *Lewchew and the Lewchewans; Being a Narrative of a Visit to Lewchew, or Loo Choo, in October, 1850* (London, 1853). A brief but competent history is that of Charles S. Leavenworth, "The History of the Loochoo Islands," *Journal of the North China Branch of the Royal Asiatic Society of Japan for the Year 1905*, Vol. 36 (new series), pp. 103-20 (1905).

II. Anthropological Studies

Several studies conducted under terms of a United States Army contract administered by the Pacific Science Board of the National Research Council and designated as Scientific Investigation in the Ryukyu Islands (SIRI) have been prepared in mimeographed form. See especially Clarence J. Glacken, *Studies in Okinawan Village Life* (Washington, D. C.: Pacific Science Board, National Research Council, 1950, 382 pp., mimeo.). Dr. Glacken also has in preparation a study entitled *The Great Loochoo Life in Three Okinawan Villages*. See also Douglas G. Haring, *The Island of Amami Ōshima in the Northern Ryūkyūs* (Washington, D. C.: Pacific Science Board, National Research Council, October 1952, 85 pp., mimeographed). George H. Kerr's historical summary, *Ryūkyū, Kingdom and Province before 1945* (Washington, D. C.: Pacific Science Board, National Research Council, June, 1952, 240 pp., mimeo.) will probably soon be published in a shortened English edition.

Since Basil Hall Chamberlain's 1895 study cited above deals with cultural characteristics of the people as well as the geography of the islands, it serves as a valuable source of information pertinent to anthropology. Among more recent studies are the following: Marshall T. Newman and Ransom L. Eng, *The Ryūkyū People: A Cultural Appraisal* (Washington, D. C., The Smithsonian Institution, 1948), and "The Ryūkyū People: A Biological Appraisal," *American Journal of Physical Anthropology*, Vol. 5 (new series), pp. 112-57 (June, 1947); Harold Fink, "The Distribution of Blood Groups in Ryūkyuans," *ibid.*, pp. 159-63. Douglas G. Haring presents some provocative hypotheses on the relationship between the culture of Amami Ōshima and that of Tokugawa Japan in "Japanese National Character," *The Yale Review*, pp. 388-92 (Spring, 1953). The studies in English of indigenous religious practices are: Robert Stewart Spencer, "The Noro, or Priestesses of Loo Choo," *Transactions of the Asiatic Society of Japan*, Vol. 8 (second series), pp. 94-112 (Dec., 1931); and Douglas G. Haring, "The Noro Cult of Amami Ōshima: Divine Priestesses of the Ryūkyū Islands," *Sociologus* (Berlin), Vol. 3 (new series), pp. 108-21 (1953).

HUME AND CONSERVATISM

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Although David Hume's stature as a philosopher has rarely been questioned, his claims as a political theorist have fared less well. Jefferson showed deep hostility towards Hume's ideas, while John Adams could find agreement with only a few points.¹ Later opinion has been less vehement but still reserved. Thomas Huxley thought Hume's political writings suggestive, but on the whole marred by an unabashed desire for literary success.² In Sir Leslie Stephen's judgment Hume was guilty of a "cynical conservatism" that was at once superficial and unhistorical.³

More recent studies, such as those of Sabine and Halévy, have established more securely Hume's place in political thought but have left certain ambiguities. Sabine has coupled Hume with Burke as an opponent of eighteenth-century rationalism, while Halévy viewed him as a forerunner of the "philosophical radicalism" of Bentham, Adam Smith, James Mill, and Ricardo.⁴ To have fathered squabbling children is always something of an embarrassment, but particularly so when one is, like Hume, temperamentally averse to taking sides. It is true, nonetheless, that if a temporary distinction is made between Hume's doctrine and his influence, it is possible to maintain that his influence worked in two quite different directions. His inquiries into causation, the role of reason, and the nature of moral judgments helped eventually to undermine the natural law structure of eighteenth-century liberalism, while his emphasis on utility as the test of institutions contributed an important ingredient to Benthamite liberalism. On the other hand, his attack on reason and its claims to universal truths helped to relieve eighteenth-century conservatives of a potent enemy and prepared the way for the authority of sentiment and feeling. Hume's labors, then, worked to alter the future course of both liberalism and conservatism.

This double aspect of Hume's influence, however, has served to obscure his

¹ *The Works of John Adams*, ed. Charles Francis Adams, 10 vols. (Boston, 1865), Vol. 4, pp. 466-68; Adrienne Koch and William Peden, *Selected Writings of John and John Quincy Adams* (New York, 1946), p. 120; *The Writings of Thomas Jefferson*, ed. Andrew A. Lipscomb and Albert E. Bergh, 20 vols. (Washington, 1903), Vol. 11, p. 223; Vol. 12, pp. 405-7; Vol. 16, pp. 44, 125-26. John Stuart Mill declared Hume to be "the profoundest negative thinker on record," *Mill on Bentham and Coleridge*, ed. F. R. Leavis (New York, 1950), p. 43.

² Thomas Huxley, *Hume* (New York, n.d.), pp. 10-11.

³ Leslie Stephen, *History of English Thought in the Eighteenth Century*, 3rd ed. (New York, 1949), Vol. 2, p. 181.

⁴ George H. Sabine, *A History of Political Theory*, 2nd ed. (New York, 1950), pp. 597-606; Elie Halévy, *Growth of Philosophic Radicalism* (London, 1934), pp. 9-13, 42-45, 131-33; John Plamenatz, *The English Utilitarians* (Oxford, 1949), pp. 22-44; *Hume's Moral and Political Philosophy*, ed. Henry D. Aiken (New York, 1948), Introduction; *David Hume, Theory of Politics*, ed. Frederick M. Watkins (Edinburgh, 1951), Introduction.

own political doctrines. The latter warrant some attention because in doctrine, as well as in personal inclination, he was a conservative, but of a distinctive kind. While the character of his conservatism was somewhat colored by its being formulated in the more placid era which preceded the French Revolution, its distinctiveness had its roots in Hume's peculiar relationship to the Enlightenment. Later conservatives tended to lump together the Enlightenment with the Revolution and to damn the former because of its presumed relation to the latter. Rationalism and *sans-culottism* were viewed as two sides of the same coin. "The eighteenth century," declared De Maistre, "which distrusted itself in nothing, hesitated at nothing."

The so-called "crisis of the eighteenth century," when the full impact of seventeenth-century rationalist and scientific modes of thought was felt, constituted a watershed for modern political thought. And the attack on the authority of accepted ideas was soon accompanied by an attack on the legitimacy of accepted institutions. "Rude establishments," wrote Bentham, must be brought "to the test of polished reason." Under the impress of revolutionary events set in motion in America and Europe, modern conservatism was formed. In its origins, conservatism was not so much a defense of the existing order, which had been breached by the establishment of revolutionary regimes, as a sustained attack on the rationalist currents which had come to dominate much of European thinking since the days of Hobbes, Descartes, and Newton. Whatever else may be said of the conservative response, it cannot be held to have disagreed about the identity of its enemy. Burke's strictures against "men of theory," Hegel's condemnation of the "abstract reason" of the French revolutionaries, and Metternich's sarcasms about the "presumptuous man" were all testimony to an almost unanimous rejection of the claims of reason to be the ultimate arbiter in political questions. According to the conservative indictment, the Enlightenment, inspired by a destructive rationalism, had succeeded in loosening the cohesive ties of society; it had insisted that slumbering beliefs and institutions, which men had unthinkingly and naturally "accepted," be made to undergo the ordeal of conscious, rational acceptance.

Given this view of the Enlightenment as a kind of extended orgy of rationalism, conservatives were irresistibly drawn to some form of political supernaturalism. For, as De Maistre put it, the rationalist has engaged in "an insurrection against God" whereby "the trowel believes himself the architect." The political community, according to the conservatives, was part of the time dimension of history to which "political geometry" could never do justice. History, in turn, was "the great drama of an ever-unfolding Providence,"⁵ or, in Burke's phrase, an expression of the "divine tactic" which men could only faintly comprehend. Of the political community, men could only know that it was part of a providential pattern; they could not know its ultimate basis. The last resort of conservatism, then, was to invoke a veil of mystery and to warn that men plumb the origins of society at their peril; the "natural"

⁵ *The Political Thought of Samuel Taylor Coleridge*, ed. R. J. White (London, 1938), p. 93.

forces of society, in response to a divine imperative, worked in a wondrous fashion beside which the cleverest political contrivances stood as pale imitations.

I

These constitute some of the main elements in the conservative tradition as it developed near the end of the eighteenth century. It is against this background that the earlier conservatism of Hume assumes some significance. The first fundamental respect in which his position differed from that outlined above was that his was a conservatism without benefit of mystery. There was no recourse to a "divine tactic," a *Weltgeist*; nor any disposition, such as displayed by Coleridge, to revive Scripture as a "statesman's manual." Hume's conclusions were stubbornly rooted in a strictly secular analysis with experience as the final court of appeal. Secondly, Hume's conservatism was constructed from the very materials of the Enlightenment: its quest for objective analysis, its distrust of obscurantism, its faith in empirical data, its disdain for the *a priori*, and its strong emphasis on the criterion of utility. He employed the Enlightenment methods of analysis to probe the roots of established pieties and institutions, and he carried it out with the sort of dispassion that Coleridge was to call "cold-blooded." Thirdly, his was a conservatism which owed no inspiration to catastrophe, impending or past, but rather reflected the "peace of the Augustans." Consequently, Hume exhibited none of the heightened sensitivity of later conservatives to the necessity for strong authority as the main guarantor of unity. Where later De Bonald was to assert that "outside religious and political unity man can find no truth and society no salvation," Hume was content with the matter-of-fact judgment that society was a product of human interests whose satisfaction provided the requisite amount of social cohesion.

Nevertheless, Hume was something more than the Enlightenment incarnate, for his significance is that he turned against the Enlightenment its own weapons. And herein lies his importance as a conservative thinker. His starting-point is to be found in *A Treatise of Human Nature* (1739-40) which bears the subtitle "An attempt to introduce the experimental method of reasoning into moral subjects." The first book illustrates Hume's tactic: to whittle down the claims of reason by the use of rational analysis. Reason, he contended, was admittedly an instrument for advancing our knowledge, but it was an instrument with a circumscribed sphere of activity:

Reason is the discovery of truth or falsehood. Truth or falsehood consists in an agreement or disagreement either to the *real* relations of ideas, or to *real* existence and matter of fact. Whatever, therefore, is not susceptible of this agreement or disagreement is incapable of being true or false, and can never be an object of reason.⁶

The consequence of this conclusion was to stake off an important realm either impervious to reason or within which reason played only a derivative role. Thus what men described as cause-and-effect was not a deductive conclusion

⁶ *A Treatise of Human Nature*, Bk. III, Pt. I, sec. 1. Hereafter this will be cited as *Human Nature*.

of reason but the product of experience: we have become accustomed to seeing a certain effect follow from a given cause, but, strictly speaking, there existed no logically necessary connection between the two. Facts were derived from observation, not from reason; hence reason could not be employed to prove or disprove the existence of a fact. Human behavior, in turn, was governed largely by unanalyzed experience or habits. "Custom," Hume concluded, "is the great guide of human life."⁷

The significance of Hume's argument was not merely that it greatly extended the reign of custom at the expense of reason, but that it undercut the whole idea of an underlying rational harmony in nature, a harmony from which eighteenth-century rationalists had deduced the existence of universal moral imperatives. Hume destroyed this assumption, not by a frontal assault, but by the contention that the external order was not a discovery of reason but was rooted in "the principles of human nature." The 'order' that we attribute to the phenomenal world rests really on a conviction and not on a process of logical validation; it is the "force and vivacity" which the idea of an 'order' exerts on our imagination that explains its hold.⁸

Equally modest was the role assigned reason by Hume in matters of morals. Reason functioned as a calculator, an instrument of analysis. It was "perfectly inert" in the sense that it provided neither the springs of human action nor the final judgment in questions of moral controversy. In Hume's view, human actions were stimulated initially by the passions, which were a response to a direct emotional experience. The passions, in short, were the active, generating factor in human behavior. Consequently, they could not be yoked or restrained by reason, as the rationalists maintained, because this would be to argue that an inert principle could control an active one. Hence the famous conclusion: "Reason is, and ought only to be, the slave of the passions, and can never pretend to any other office than to serve and obey them."⁹ Passions were thus outside the range of rational criticism, except as they might be based on a false supposition about objects which had no existence, or as the passions selected inadequate means for the fulfillment of their ends. Reason could indicate the tendencies and consequences of certain actions, but sentiment or feeling alone could actively stimulate us to follow one choice rather than another. Again, reason dealt with facts and relations, but moral concepts, such as 'crime' or 'ingratitude,' were not analyzable as facts or relations except by ignoring the original source of the concept itself in our sentiments or feelings. For example, certain elements of a 'crime' could be analyzed by the understanding into components, but the totality of these did not equal a 'crime'; it was only as our feelings affixed such a designation that certain actions took on a moral meaning. "The approbation or blame which then ensues cannot be the work of judg-

⁷ *An Enquiry Concerning Human Understanding*, sec. 5. Hereafter this will be cited as *Human Understanding*.

⁸ *Human Nature*, Bk. I, Pt. III, secs. 7-8.

⁹ *Human Nature*, Bk. II, Pt. III, sec. 3.

ment, but of the heart. . . ."¹⁰ Thus, since morals were linked to the passions or feelings, and since reason was unable to master the latter, it followed that morals could never be designated true or false, reasonable or unreasonable.

The net effect of this argument was, of course, to undermine the whole theory of natural law with its immutable values discoverable by rational inquiry. Having withdrawn morals from the jurisdiction of reason, Hume was prepared to maintain that morality was "more properly felt than judged of."¹¹ Morality derived from a moral sense which received impressions; these might be either pleasing or displeasing. Actions or situations which cause pleasing impressions men have identified as good or virtuous, their contraries as bad. When it is asked, what is it that renders some impressions pleasurable and others painful, Hume's reply was that in some instances it was "natural" for men to feel delight or aversion; in other cases the response was due to habit or conditioning. Morals were, then, a product of nature *or* convention, but, as Hume pointed out in his discussion of justice:

Mankind is an inventive species; and where an invention is obvious and absolutely necessary, it may as properly be said to be natural as anything that proceeds immediately from original principles, without the intervention of thought and reflection. Though the rules of justice be *artificial*, they are not *arbitrary*.¹²

Thus art could be fused with nature, and when innovation became overlain with habit the distinction between the artificial and the natural vanished.

There existed, in this line of argument, a subtle difference between Hume and later conservatives. Some conservatives, Sir William Blackstone for example, were to maintain that a rational institution or law could be declared "natural" on the grounds that its long existence demonstrated its rationality and naturalness. Hume, however, in denying the relationship between the rational and the natural, was asserting quite another basis for the validity of institutions: an arrangement might, through usage, become habitual and therefore "natural," but this had nothing to do with its rationality and rationality had nothing to do with it.

The full implications of Hume's analysis were not to be realized until after the revolutionary events in America and France had made their mark. Prior to that time little difference existed between conservative and radical theorists in the approach taken to political problems. The points of disagreement between John Adams and Jefferson in America, Blackstone and Priestley in England, or D'Argenson and Diderot in France were less striking than the degree to which they shared a common premise that the test of a political system or a particular policy was a matter of rational demonstration. The influence of Hume's iconoclasm, however, was to dissolve this area of agreement by show-

¹⁰ *An Enquiry Concerning the Principles of Morals*, Open Court ed. (La Salle, Ill., n.d.), Appendix I, p. 131.

¹¹ *Human Nature*, Bk. III, Pt. I, sec. 2. See also the discussion in D. G. C. MacNabb, *David Hume, His Theory of Knowledge and Morality* (London, 1951), pp. 159 ff.

¹² *Human Nature*, Bk. III, Pt. II, sec. 1.

ing that ultimate truths could not be proven by rational methods. And after 1789 both sides were to become increasingly preoccupied with ultimate truths. By restricting reason to a narrow zone between experience and the passions, Hume cleared the way for political romanticism. "Nothing is freer," he wrote, "than the imagination of man. . . . The difference between *fiction* and *belief* lies in some sentiment or feeling, which is annexed to the latter, not to the former, and which depends not on the will, nor can be commanded at pleasure."¹³

In fairness to Hume it should be noted that his remarks cannot be turned into a justification for some of the later extravagances of the romantics. Habit, emotion, and imagination did not constitute political values in his system, but belonged to the catalog of descriptive facts concerning human behavior. They might, and often did, have valuable consequences, yet they were not values in themselves. It was true that on occasion Hume might casually remark that in philosophy, as in music and poetry, "we must follow our taste and sentiment,"¹⁴ but he was aware that this might prove too much. After all, he cautioned, there was a clear difference between "a poetical enthusiasm" and "a serious conviction" resting on "reflexion and general rules."¹⁵ Negatively, however, Hume's labors worked towards the alteration of the future course of conservatism. With reason discredited, new premises could be fashioned from custom and sentiment.

II

The quest for a science of politics was one of the great intellectual adventures of the Enlightenment.¹⁶ It was believed, perhaps not logically, that a science of this kind would be a natural ally of reform and progress. It was almost inevitable, given the cautious disposition of conservatives towards political and social change, that a deep hostility towards a science of politics should color conservative thought of the late eighteenth century. Here again Hume took a different tack. While sharing the conservative distrust of reform, he was still convinced that the study of politics could achieve the status of a science. At the same time, he demonstrated that there was no inherent necessity that such a science led to radical conclusions.

Although Hume remarked in one place that "the world is still too young to fix many general truths in politics which will remain true to the latest posterity,"¹⁷ his works were studded with references to "causes and principles eternal and immutable" and to "universal axioms." While he admitted that social sciences, dealing as they did with matters of fact, could not aspire to the same degree of certitude as mathematics, dealing as it did with relations between

¹³ *Human Understanding*, sec. V, pts. I-II.

¹⁴ *Human Nature*, Bk. I, Pt. III, sec. 8.

¹⁵ John Arthur Passmore, *Hume's Intentions* (Cambridge, 1952), p. 10.

¹⁶ On this point see John H. Randall, *The Making of the Modern Mind*, 2nd ed. (Boston, 1940), pp. 334 ff.; Ernst Cassirer, *The Philosophy of the Enlightenment* (Princeton, 1951), pp. 253 ff.

¹⁷ "Of Civil Liberty," *The Philosophical Works of David Hume*, ed. T. H. Green and T. H. Grose, 4 vols. (London, 1875), Vol. 3, p. 156. Hereafter this will be cited as *Works*.

ideas, Hume did go so far as to assert that the social sciences were capable of the same degree of certitude as the physical sciences. He further maintained that "politics, natural philosophy, physics, chemistry, etc.," which employ "moral reasoning," were more securely grounded than the study of morals or aesthetics; the latter were "not so properly objects of the understanding as of taste and sentiment." This was not to imply that politics, any more than the other sciences, could transcend experience or explain "ultimate principles."¹⁸ Nor was it meant to deny that "irregular and extraordinary appearances" might defy attempts to reduce political phenomena to near-mathematical axioms.¹⁹

Despite these qualifications, Hume's conviction remained unshaken that, as the title of one of his essays suggested, "politics may be reduced to a science" if it adheres to "experimental" procedures rather than the methods of traditional logic. Logic, which relied on demonstrations founded on the understanding, was useless for dealing with the probabilities which were of the essence of man's actual life in society. A science of politics, therefore, must be grounded in experience supplied by historical inquiry and observation of existing societies. Essentially, it was to be an investigation into the interaction between institutions and human nature. From an historical point of view, the function of political institutions had been to channel and control human behavior. Institutions were, in short, artificial contrivances which exerted an independent force and were not merely a reflex or simple reaction to human drives. "So great is the force of laws and particular forms of government, and so little dependence have they on the humours and tempers of men, that consequences almost as general and certain may sometimes be deduced from them as any which the mathematical sciences afford us."²⁰

Hume's method of political analysis, as noted earlier, was grounded in the typical Enlightenment technique of "analytic dissection," which, to borrow Cassirer's description, "dissolves everything merely factual . . . and everything believed on the evidence of revelation, tradition and authority" as preliminary to the ultimate goal of "synthetic reconstruction."²¹ Hume pressed this approach with devastating effect against the state-of-nature hypothesis present in some social contract theorizing. He pointed out the slippery logic which sought to justify rebellion against authority on the basis of a "mere philosophical fiction" like the state of nature; he denied that society was simply the product of a voluntary agreement aimed at eliminating certain "inconveniences" present in the pre-social condition. The arrangement called society represented an accumulated set of responses to human needs and drives: to the "natural appetite betwixt the sexes" and to man's oscillation between altruism—which diminishes in force as it is extended through the concentric circles of self, family, friends, and strangers—and selfishness—which increases as socie-

¹⁸ *Human Nature*, Introduction.

¹⁹ "Of Some Remarkable Customs," *Works*, Vol. 3, p. 374.

²⁰ "That Politics may be reduced to a Science," *Works*, Vol. 3, p. 99.

²¹ Cassirer, *Philosophy of the Enlightenment*, pp. 13-16.

tal demands become more abstract and remote. Furthermore, as man found himself situated amidst circumstances of material scarcity his insecurity deepened, leading him to invade the material possessions of his fellows. This "natural" condition could be overcome by artificial arrangements which would restrain man's "heedless and impetuous passion" and gratify his instinct for self-interest.²² "After that interest is once established and acknowledged, the sense of morality in the observance of these rules follows naturally and of itself."²³

In his explanation Hume made no sharp distinction between government and society. Government was viewed as the instrument whereby society's arrangements were protected and society's purposes executed. Consequently, when Hume came to discuss the problem of political obligation his argument paralleled to a large extent his explanation of society. His aim, in both cases, was to demonstrate that neither society nor government had emerged full-blown from a sudden agreement. The basis of government was traceable to consent only in the sense that every government required that its subjects agree to its existence. To label this obvious truism a contractual agreement only worked to distort the element of truth contained in the idea of contract, namely, that "it is on opinion only . . . that government is founded. . . ."²⁴ "Opinion," in turn, was composed of several aspects. First, there was "opinion of interest" which referred to the "sense of the general advantage which is reaped from government, together with the persuasion that the particular government which is established is equally advantageous with any other that could easily be settled." Second, there was "opinion of right" which comprehended (a) the "right to power" or the prevalent disposition of men to believe that governments which have endured over a long period of time were legitimate governments; and (b) the "right to property" or the general desire of men to secure their possessions.

Such were the "principles" which supported government. Viewed from this perspective, the "ought" element in political obligation was reduced to a secondary consequence following from certain naturalistic considerations. Men obeyed because the interests which they sought to protect and promote necessitated obedience to authority. "Society could not otherwise subsist."²⁵

According to Hume's view, all of the rules of society were "artificial" in that they represented conscious contrivances designed to meet human needs and problems. As rules of convenience they could not be expected to satisfy the demands of morality or strict logic. For example, the rules of justice might result in a wicked miser winning a legal judgment against a virtuous peasant, yet the necessity and value of a general rule excludes consideration of the "fitness or unfitness of objects to particular persons."²⁶ The essential point was that there was no sharp contrast between an "artificial" rule and a "natural" one.

²² *Human Nature*, Bk. III, Pt. II, sec. 2.

²³ *Ibid.*, sec. 6.

²⁴ "Of the First Principles of Government," *Works*, Vol. 3, pp. 110 ff.

²⁵ "Of the Original Contract," *Works*, Vol. 3, p. 456.

²⁶ *Human Nature*, Bk. III, Pt. II, sec. 3.

Through the passage of time men became accustomed to social expedients, and what was once artificial soon became natural. It followed that the "natural" was not necessarily the primitive or the original condition. Hume strongly inferred that the opposite was more likely: that the truly unnatural situation was to be found in the state of nature.

The significant element in Hume's political ideas lies not so much in the particular arguments employed, but rather in the sensitivity displayed towards the workings of actual institutions. Like his contemporaries, he appeared to use the analytical method to dissect institutions, to peel off layer after layer of historical accretion. Yet, unlike that of many of his contemporaries, Hume's method proceeded on the belief that a particular institution was to be viewed as a whole possessing subtle interconnections with other institutional wholes.

Implicit in this approach were two ideas which were to play a central role in later conservative thinking in England. Institutions were to be understood in terms of human needs, but institutions were not merely the product of human needs. The two elements became intertwined and inseparable by virtue of their common root in historical time. It followed that there was no necessary opposition between what was useful and what existed; the desirable and the factual were not out of joint. In this way Hume indicated to later conservatives that the strongest arguments for the existing order were to be found within the facts of that order; that under an empirical approach utility could be located as an immanent value dwelling within the interstices of actual social arrangements, not as a grim measuring rod contrived to reveal the shortcomings of institutions.

Moreover, institutions were developments over a period of time. Their purpose and nature could not be correctly understood without a sense of time. The concept of time, then, was closely associated with the blending of fact and utility. Historical time imparted to social arrangements a qualitative element. Time implied experience, and experience in turn provided the motive for gradual adjustment. Conversely, the greatest calamity was violent change, which worked to snap the close union which history had fashioned between an institution, its utility, and its duration. In contradicting the nature of time and experience, sweeping change could not adapt institutions according to utility; for utility, in political matters, was inseparable from time and experience.

Students of political theory have, as yet, paid insufficient attention to the concept of time and the part that it has played in the shaping of political theory. To the eighteenth-century liberal reformer, time appeared as a kind of quantitative duration, a series of succeeding points without any particular value, except of a negative character. Future time alone held the promise of a qualitative character. To the conservatives who followed Burke, however, time lent an essentially qualitative element to existing arrangements. Past time had not really been superseded, but merged into the present in the form of institutions and values. Drastic change, in the same way that it had contradicted utility, contradicted time. In seeking to sever past time from present and future time, in order to impute a negative value to the past and a positive value only

to the present or future, drastic change stood condemned of being unhistorical and therefore unavailing.

While it would be claiming too much to attribute the whole of the conservative conceptions of time and utility to Hume, it is important to recognize that, within the limits imposed by his own methods and temper, he had glimpsed something of the conservative case.

III

Hume's conservatism was given more concrete expression when he turned from his philosophical writings to his informal essays on society, government, and economics. His detachment was, if anything, reenforced by the complexities which he pronounced present in any political question.²⁷

Although his temperament made him unwilling to join in the party battles of the period, it did not prevent him from making thrusts at both sides, at Tory sentiments about divine right and the royal prerogative, as well as at the precious tenets of Whiggism. But in common with the conservatives of the period Hume had a hearty disdain for that type of radical reformer who thought that every morning the world was an open question:

Did one generation of men go off the stage at once, and another succeed, as in the case with silkworms and butterflies, the new race, if they had sense enough to choose their government, which surely is never the case with men, might voluntarily and by general consent, establish their own form of civil polity, without any regard to the laws or precedents which prevailed among their ancestors. But as human society is in perpetual flux, one man every hour going out of the world, another coming into it, it is necessary, in order to preserve stability in government, that the new brood should conform themselves to the established constitution, and nearly follow the path which their fathers, treading in the footsteps of theirs, had marked out to them. Some innovations must necessarily have place in every human institution . . . but violent innovations no individual is entitled to make.²⁸

Hume's scorn of "novelties" also rested on the conviction that settled forms and institutions carried a momentum which often nullified the efforts of evil men and happily compensated for the meager talents of others:

In the smallest court or office, the stated forms and methods by which business must be conducted are found to be a considerable check on the natural depravity of mankind. . . . And so little dependence has this affair on the humours and education of particular men that one part of the same republic may be wisely conducted and another weakly by the same men, merely on account of the differences of the forms and institutions by which these parts are regulated. . . . Good laws may beget order and moderation in the government where the manners and customs have instilled little humanity or justice into the tempers of men.²⁹

But where Burke would have looked for some divine cunning to account for these phenomena, Hume was content to point out the utilitarian basis of institutions and the strong support which they found in human habits. He was at one with Burke in being sceptical of man's ability to effect reforms that

²⁷ For a statement about the detached observer, see "Of the Protestant Succession," *Works*, Vol. 3, pp. 474-75.

²⁸ "Of the Original Contract," *Works*, Vol. 3, p. 452.

²⁹ "That Politics may be reduced to a Science," *Works*, Vol. 3, pp. 105-6.

would be both wide-sweeping and beneficial, but where Burke, at the time of the French Revolution, inveighed against "men of theory" who sought political solutions by "geometrical demonstration,"³⁰ Hume, writing during the calm of the Augustan age, reserved his contempt for what the age called "enthusiasm." In his eyes religious "enthusiasm" or fanaticism had split seventeenth-century England into warring sects and had paved the way for rebellion, a state of affairs which Hume abhorred even more than tyranny.³¹

This fear and distrust of violent antagonisms underlay Hume's analysis of party politics, for this analysis was motivated by a practical purpose: to prevent in his time the recrudescence of the seventeenth-century struggles by showing the many points of agreement between Tories and Whigs, or, as he more accurately called them, the "court" and "country" parties. Although the method which he adopted, which was to apportion praise and blame impartially to both sides, rested on the hope that sweet reasonableness would prevent both parties from adopting mutually exclusive positions, this was of less significance than the realistic analysis of the nature of parties which preceded his conclusions. To be sure, earlier political writers, like Halifax, Bolingbroke, Swift, and Defoe, had all been aware of the increasingly important role played by "factions" or parties in the constitutional system. Yet among these writers there remained a lingering reluctance to accept "party" as anything but a distasteful necessity. "The best Party," wrote Halifax, "is but a kind of Conspiracy against the rest of the Nation."³²

In his discussion of parties or factions—the terms were used interchangeably—Hume began from a position similar to that of James Madison in Number 10 of the *Federalist Papers*: since it was not possible to eliminate parties under a free government, some means must be found of limiting their disruptive and predatory tendencies. It was necessary, then, to draw a distinction between those parties which posed a threat to the very existence of a political system and those whose activities, while not always salutary, were confined within reasonable bounds. In the former category Hume placed the fanatical group with uncompromising tenets, a type which had been spawned in abundance during the bitter religious controversies of the last century. Extremist groups, reflecting the dogmatic tempers of their members, were perfectly willing to sacrifice peace and order for the achievement of their objectives: *fiat justitia, ruat caelum*. Furthermore, the tendency to exaggerate principles into unyielding absolutes was a peculiarly modern phenomenon: "Parties from *principle*, especially abstract speculative principle, are known only to modern times, and are, perhaps, the most extraordinary and unaccountable phenomenon that has yet appeared in human affairs."³³ Although such parties constituted the exception,

³⁰ Edmund Burke, *Reflections on the French Revolution*, Everyman ed. (London, 1910), pp. 38, 170.

³¹ "Whether the British Government inclines more to Absolute Monarchy, or to a Republic?", *Works*, Vol. 3, pp. 124–26.

³² *The Complete Works of George Savile, First Marquis of Halifax*, ed. Walter Raleigh (Oxford, 1912), p. 225.

³³ "Of Parties in General," *Works*, Vol. 3, p. 130.

they represented a pathological condition to which all parties were susceptible. Traces of these symptoms could be found in both the Whigs and Tories. Hume, writing in a period when the uproar over the Hanoverian succession had not completely died down and when Jacobite memories and hopes were still strong, repeatedly warned of the consequences that would follow if party distinctions were allowed to harden. That this eventuality need not come about was the whole lesson of Hume's analysis of parties.

In his dissection of the anatomy of party, Hume found a compound of interests, principles, and sentimental attachment to certain leaders. Two broad types of parties existed: those founded on the personal attraction of a particular leader or group of leaders, and those founded on "real" differences of opinions or of interests.³⁴ Most parties were a compound of the two and this was fortunate, for it meant that principles, interests, and personal ambitions tended to offset each other. In particular, the tugs of personal rivalry and economic interests lessened the possibility of conflicts over questions of political or religious principles. To a sceptic and a moderate like Hume, the disputes over principle were largely meaningless, because the historic quarrels which had given birth to the conflicting ideas had long since been settled. The Whigs, Hume noted, regarded themselves as the sole heirs of the revolutionary traditions of 1688 and their arguments implied that the revolutionary settlement stood in constant danger of being overthrown. The Tories, on the other side, responded in the opposite vein: they represented the sole defenders of a monarchy that had been temporarily abolished by the forerunners of the Whigs; it was the Tory mission to insist on the primacy of the allegiance owed by subject to sovereign. In actuality, Hume commented, these antics were largely absurd because of the fundamental similarity between both parties. Both had accepted the results of 1688; neither wanted to abolish the monarchy. The division between them rested on a matter of emphasis. It lay in the shades of meaning which each side attached to certain accepted fundamentals. "A TORY, therefore, since the revolution . . . [is] a lover of monarchy, though without abandoning liberty; and a partisan of the family of Stuart. A WHIG may be defined to be a lover of liberty without renouncing monarchy, and a friend to the settlement in the Protestant line."³⁵ His advice to both parties was to be moderate, accept the present situation, and pursue the public good. There were, he remarked dryly, "enough zealots on both sides."³⁶

In emphasizing that a substantial area of agreement existed between the two parties Hume put his finger on the most singular aspect of the modern British party system. From it he drew the conclusion that it was both desirable and possible to create "a coalition of parties" which would govern England with a minimum of discord. "The transition from a moderate opposition against an establishment, to an entire acquiescence in it, is easy and insensible."³⁷ "Coali-

³⁴ *Ibid.*, pp. 128-30.

³⁵ "Of the Parties of Great Britain," *Works*, Vol. 3, p. 139.

³⁶ "That Politics may be reduced to a Science," *Works*, Vol. 3, p. 107.

³⁷ "Of the Coalition of Parties," *Works*, Vol. 3, pp. 469-70.

tion" thus implied an agreement between the parties to exclude the fundamentals of the system from the range of controversy. As Hume acutely noted, "the only dangerous parties are such as entertain opposite views with regard to the essentials of government."³⁸ His hope was that the area of friction between the parties could be reduced once they had recognized their agreement on fundamentals. When this actually became the case in Britain a century and a half later, Hume would have welcomed Balfour's remark that the nation "is so at one that we can safely afford to bicker."

IV

From the death of Queen Anne in 1714 until the outbreak of the American Revolution, England enjoyed a period of comparative harmony unruffled by any deep antagonisms or sharp controversies. The Jacobite uprisings were the only major exceptions. The stability of England had become one of the wonders of Europe, for such had not been her reputation in the preceding century, when the turmoil of revolutionary events had made her name a by-word for political instability. The era of good feeling prevalent at this time received its intellectual expression in the admiration for balance and proportion. The classic lines with which Newton had sketched in his picture of an harmonious universe were duplicated in the ordered couplets of Pope. English political writers, not unmindful of the almost universal praise for their institutions, explained that the key to the riddle of stability was in the balanced nature of the system. The idea of balance became the central starting point, the key concept in British constitutional thought until the appearance of Bentham's *Fragment on Government* in 1776.³⁹ Its classic formulation was to be found in Blackstone's *Commentaries*:

And herein indeed consists the true excellence of the English government, that all the parts of it form a mutual check upon each other. In the Legislature the people are a check upon the nobility, and the nobility a check upon the people; by the mutual privilege of rejecting what the other has resolved: while the king is a check upon both, which preserves the executive power from encroachments. . . . Thus every branch of our civil polity supports and is supported, regulates and is regulated, by the rest: for the two houses naturally drawing in two directions of opposite interest, and the prerogative in another still different from them both, they mutually keep each other from exceeding their proper limits; while the whole is prevented from separation, and artificially connected together by the mixed nature of the Crown, which is a part of the legislative, and the sole executive magistrate. Like three distinct powers in mechanics, they jointly impel the machinery of government in a direction different from what either, acting by itself, would have done; but at the same time in a direction partaking of each, and formed out of all; a direction which constitutes the true line of the liberty and happiness of the community.⁴⁰

³⁸ *Ibid.*, p. 464.

³⁹ Examples of this concept can be found in the following: *The Prose Works of Jonathan Swift*, ed. Temple Scott, 12 vols. (London, 1898), Vol. 1, pp. 231-235; Chancellor Hardwicke in Lord John Campbell's, *Lives of the Lord Chancellors*, 7 vols., 2nd ed. (Philadelphia, 1851), Vol. 5, p. 127; *Parliamentary History of England*, ed. William Cobbett (London, 1813-20), Vol. 15, cols. 481-82, 506; Vol. 66, cols. 43-44.

⁴⁰ William Blackstone, *Commentaries on the Laws of England*, ed. Christian, 4 vols., 12th ed. (London, 1793), Vol. 1, Bk. I, ch. 2, pp. 154-55.

Although the importance of the concept of balance might be admitted for the realm of constitutional theory, the query arises: how much was this idea a creation existing solely in the minds of closet philosophers and how closely did it correspond to the actual workings of the constitution of the time? Although the dominant theme of parliamentary supremacy was obtrusive at certain times,⁴¹ there was, by and large, an implicit cooperation between the various branches of government. Hence, there is no paradox in the statement by Sir William Holdsworth that during the period of Whig supremacy from roughly 1720 until 1760 the constitutional system resembled a partnership, but not on equal terms, of King, Lords, and Commons.⁴²

When it is asked, by what means was this semblance of balance maintained, the answer is to be found largely in the conventions interwoven in the general constitutional fabric.⁴³ As contemporary British historians, under the inspiration of Sir Lewis Namier, have demonstrated, the nucleus about which these conventions clustered was the system of "influence," that is, the ties of family, patronage, contracts, bribes, and corruption through which the King and his ministers managed the parliamentary machinery.⁴⁴ This system, developed by Walpole and Newcastle and perfected later by George III, was not incidental to the politics of the period, but was a crucial element. Without it, the British constitution would have too closely resembled the nicely compartmented separation of powers that Montesquieu imagined in his *Esprit des Lois*. The conventions of the period, including the system of "influence," supplied the lubrication necessary to insure that the machinery of government would work in coordinated fashion and with a degree of central direction provided by the Crown.

Although many writers and politicians were aware of the part played by "influence" in preserving an area of royal initiative, Hume, perhaps alone, had grasped the tactical role of this system in preserving the constitutional balance.⁴⁵ He began by raising doubts about the validity of Harrington's widely-accepted thesis that political stability depended upon a coincidence between

⁴¹ *E.g.*, the Act of Settlement, the Regency Bill (1788-89), and the dispute over parliamentary privileges during the Wilkes affair.

⁴² William Holdsworth, *A History of English Law*, 12 vols., 3rd ed. (London, 1922-38), Vol. 10, p. 55; Sir David Keir, *The Constitutional History of Modern Britain*, 3rd ed. (London, 1948), pp. 293-99.

⁴³ Holdsworth, p. 464.

⁴⁴ Sir Lewis B. Namier, *The Structure of Politics at the Accession of George III*, 2 vols. (London, 1922); *England in the Age of the American Revolution* (London, 1930); *The Parliamentary Papers of John Robinson, 1774-1784*, ed. William T. Laprade (London, 1922); Richard Pares, *King George III and the Politicians* (Oxford, 1953); George H. Guttridge, *English Whiggism and the American Revolution* (Berkeley and Los Angeles, 1942).

⁴⁵ In this connection it should be noted that Burke, for all of his concern for the "nice equipoise" of the Constitution, was unaware of the degree to which the system of "influence" contributed towards that result. See his proposals for "economical reform" designed to implement Dunning's resolution of 1780 which warned against the Crown's system of "influence." *Works*, 12 vols. (London, 1815), Vol. 2, pp. 69-70.

property and political power.⁴⁶ The paradox of the British system, Hume contended, was that although property and power had gravitated from the King to the House of Commons, there was no evident disposition on the part of the House to usurp all the powers of government so as to leave the King helpless. It was apparent that the House could not be considered as a kind of passive funnel through which the propertied interests exerted overwhelming mastery. The question then became: what were the means by which the dominant partner of the constitution was confined within its proper limits? His answer was that

the interest of the body is here restrained by that of the individuals, and that of the house of commons stretches not its power, because such an usurpation would be contrary to the interest of the majority of its members. The crown has so many offices at its disposal, that, when assisted by the honest and disinterested part of the house, it will always command the resolutions of the whole, so far, at least, as to preserve the ancient constitution from danger.⁴⁷

Rail as men may at the "invidious appellations of *corruption* and *dependence*," it must not be forgotten, as men are apt to do in the heat of party strife, that "some degree and some kind of it are inseparable from the very nature of the constitution, and necessary to the preservation of our mixed government."⁴⁸ The proper course for the zealots of liberty and parliamentary independence was not one of demanding a root-and-branch extirpation of patronage and its attendant evils, but of exercising prudent vigilance over "the proper degree of this dependence, beyond which it became dangerous to liberty."⁴⁹

More than any other observer, Hume saw that whatever balance there was in the constitution resembled less the mechanical equipoise of Newtonian forces than a restless equilibrium whose components were hidden from the prevailing formal and legalistic types of analysis. It followed that it was unrealistic to define rigidly the boundaries of power between the three main participants of the constitutional system.⁵⁰ Custom and expediency, not speculative reason, had shaped the constitution. Accordingly, these highly artificial political arrangements could not be measured by the rigors of abstract theory. Furthermore, as the system had demonstrated its ability to combine both liberty and order and had behind it the inertia of the settled habits of a nation, it was folly "to tamper . . . or try experiments upon the credit of supposed argument and philosophy. . . ." The "wise magistrate . . . though he may attempt some improvements for the public good, yet will he adjust his innovations as much as possible to the ancient fabric, and preserve entire the chief pillars and supports of the constitution."⁵¹

⁴⁶ Hume's criticisms of Harrington are scattered throughout the following essays: "Idea of a Perfect Commonwealth," "On the Independence of Parliament," and "Whether the British Monarchy inclines more to Absolute Monarchy, or to a Republic?"

⁴⁷ "Of the Independence of Parliament," *Works*, Vol. 3, p. 120.

⁴⁸ *Ibid.*, p. 121.

⁴⁹ *Ibid.*

⁵⁰ *Ibid.*, pp. 121-22.

⁵¹ "Idea of a Perfect Commonwealth," *Works*, Vol. 3, p. 480. Hume was careful to preface this admittedly utopian essay with several remarks intended to underline his own affection for an established system which worked tolerably well.

V

Hume's "analytical conservatism" prepared the way for Burke in many respects. Although the latter possessed a conviction and passion which Hume lacked, many of the same materials had been worked over in Hume's writings. The emphasis on traditionalism, the importance of habit and sentiment, a disdain for "political projectors" (as Hume called them), and a fine feeling for the complexities of government were all to be found in Hume. Yet Hume's true uniqueness rested on his analysis of parties and the hidden conventions of the constitution. It was by far the keenest discussion of the century and far overshadowed in insight the partisan tracts of Bolingbroke and Burke. At the same time, his critique struck a note of realism that contributed in an important way to the decline of Locke's influence. Hume saw clearly, as the later philosophic radicals did not, that the arena of practical politics was not peopled by individuals pursuing their own aims in the splendid isolation of self-interest. Rather, the basic elements were political groups held together by individual leaders and by the cement of common interests and professed principles. This approach, reminiscent of the sociological methods of Montesquieu, also differed significantly from the legalism which pervaded the political thought of England at that time. The dominant tendency was to argue issues like electoral reform, representation, and colonial matters on the basis of law and precedent. The influence of Hardwicke, Mansfield, and Blackstone symbolized the alliance that had sprung up between law and politics.

Although Hume's appreciation of existing institutions and his realization of the long, painful, and largely unconscious process by which society is shaped led him in the same general direction as the lawyers, the journey was accomplished by his effecting a minor revolution in political thought. Politics was now to be conceived in psychological rather than juridical categories. Earlier writers, like Locke and Hobbes, while emphasizing the importance of human nature for the understanding of politics, had nevertheless approached this element as preliminary to the central juridical concept of contract. In this way, the political categories of allegiance, obligation, and justice assumed the status of logical derivatives from the basic concept of sovereignty (or as Locke preferred to call it, "supreme power") established by the contract. Hume, on the other hand, turned the procedure around: justice, obligation, and authority were consequences of human attitudes and expectations. These concepts were to be explained on psychological, not juridical grounds.

The psychologism of Hume was part of his general legacy to later conservatism, a legacy of empiricism in which the useful and the factual were made to cohere in subtle fashion. Yet it was also a legacy which later events superseded. Hume, appropriately enough, died in 1776, and from this point on revolutionary events worked to make a mockery of Hume's comfortable conclusions. The realm of fact provided cold comfort for conservatives; it was now controlled by the revolutionaries. The central fact of revolution could not be explained away, although a Burke might attribute it to intellectual perversity and a De Maistre to an avenging Deity. But if it could not be ignored, it could be transcended. So it

was that conservatives began to turn to transcendental norms in order to combat the revolutionary appeal to reason; to weave from the diverse elements of irrationalism, romanticism, religion, and history a new vision of an older order; to replace an analytical conservatism by a metaphysical conservatism. In so doing they rejected much of Hume's naturalistic approach and substituted in its stead a philosophy of history, the idea that history had a "course" whose main outlines were determined by a divine hand operating from outside the confines of human time.

The final assessment of Hume raises certain difficulties. In some respects he typified conservatism, in others liberalism, and in still others he belonged to no school but his own. His conclusions in political matters carried strong overtones of conservatism, yet most conservatives of the period felt too uncomfortable with Hume's scepticism to welcome him as one of their own. Nevertheless, his conclusions were conservative for the reason that Hume never probed past a certain point nor carried his scepticism to its ultimate conclusions. He held too much respect for custom and tradition, and for their importance as social cements, to subject them to the kind of devastating critique which Voltaire and his allies were employing in France. With later conservatives he shared a distrust of reform, an hostility toward abstractions, and a scepticism of the claims of reason.

On the other hand, Hume stood close to the liberals of the century in the respect he accorded to liberty and property, and in his decided coolness toward religion and anything bordering on obscurantism. Above all, his political thought contained no traces of the particularist bent which was to play such an important role in later conservative thought. National history, national peculiarities and values had not yet replaced the universalist or European assumptions of seventeenth- and eighteenth-century rationalism.⁵²

It would be easy to conclude from these remarks that the categories of "liberal" and "conservative" were irrelevant when applied to Hume. This, however, would be misleading. The significant point is that Hume's position was symptomatic of the change that was taking place in English liberalism around the middle of the eighteenth century. Liberalism was becoming conservatized. Seventeenth-century liberalism, which had been compounded from the criticisms and protests of the Civil War period and then reshaped in more moderate fashion by the Glorious Revolution, had been transformed. It had lost its status as a challenge to the established order and had become the order itself. By the beginning of the eighteenth century, England was commit-

⁵² The exception to this point was Hume's interest in "national character." Although he suggested that certain common traits, such as similar manners and habits, could be discovered in a people who had been associated over a long period of time, this idea was not employed to prove any qualitative differences among peoples. Note also the statement in *Human Understanding*, sec. 8, pt. 1: "Would you know the sentiments, inclinations, and course of life of the Greeks and Romans? Study well the temper and actions of the French and English: You cannot be much mistaken in transferring to the former *most* of the observations which you have made with regard to the latter. Mankind are so much the same in all times and places, that history informs us of nothing new or strange in this particular."

ted to the idea of government under law, the superiority of Parliament, and the rights of Englishmen. The incorporation of liberal elements into the political structure worked to rid liberal thought of one of its central themes: its revolt against the idea of the organic community. The idea of a corporate society—compact, graded, deeply-niched by place and privilege—had been a commonplace in Tudor thought, as well as in the royalist doctrines of the seventeenth century.⁵³ The reaction to this belief in a close community, with all that it implied in social and political policies, can be traced not only in the radical doctrines of the Civil War, but also in such diverse thinkers as Hobbes and Locke. The systems of Hobbes and Locke began with abstractions which cut through the communal bonds of class, status, and hierarchy, leaving only unattached and undifferentiated individuals. In neither system was there a "sense of community."

Once English society was modified by the revolutionary changes of the seventeenth century, the theme of revolt was gradually replaced by a growing "sense of society," a quickening appreciation of the extent to which the values established by protest and revolt had become deeply dependent on communal arrangements of an unwritten and informal nature. Hume was representative of this changing temper, which prized the gains made possible by the upheavals of the previous century, and sought to preserve both the institutional achievements and their social undergirding. In this way, the assumption of an organic community, which had been cast aside during the seventeenth century, was being recaptured.

These developments form a background for Hume, as well as for English conservatism. For the uniqueness of this form of conservatism lies in the extent to which it had incorporated the results of the revolutionary experience of the seventeenth century. The master example here was Burke's pamphlet, *An Appeal from the New to the Old Whigs*; in it he conservatized the revolution of 1688, while at the same time liberalizing conservatism.

⁵³ John W. Allen, *A History of Political Thought in the Sixteenth Century*, 2nd ed. (London, 1940), pp. 134ff; Christopher Morris, *Political Thought in England: Tyndale to Hooker* (London, 1953), pp. 68-126; Sheldon S. Wolin, "Richard Hooker and English Conservatism," *Western Political Quarterly*, Vol. 6, pp. 28-47 (March, 1953); Francis D. Wormuth, *The Royal Prerogative, 1603-1649* (Ithaca, 1939), pp. 83 ff.

THE CONSERVATIVE DILEMMA: REFLECTIONS ON THE POLITICAL THOUGHT OF METTERNICH

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I

The conservative in a revolutionary period always represents somewhat of an anomaly. Were society still cohesive, it would occur to no one to be a conservative for a serious alternative to the existing structure would be inconceivable. But a revolutionary period is a symptom precisely of the fact that the self-evidence of the goals of the social effort has disintegrated, that a significant segment of society holds values which either cannot or will not be assimilated. What had been taken for granted must now be defended and the act of defense introduces rigidity. The deeper the fissure, the more inflexible the contending positions and the greater the temptation to dogmatism. Were the "legitimate" structure still universally accepted, it would not be necessary to demonstrate its validity; but the act of defense exhibits the possibility of an alternative.

Once the existing legitimacy has been challenged, no real discourse between the contenders is possible any longer, for they cease to speak the same language. It is not the adjustment of differences *within* a political system which is now at issue, but the political system itself. Henceforth stability and reform, liberty and authority, come to appear as antithetical, and political contests turn doctrinal instead of empirical. When there is no consensus on what is considered "legitimate," no basis for agreement exists. Adjustments may occur but they will be conceived as tactical in order to consolidate positions for the inevitable showdown or as tools in the primary task of undermining the pattern of legitimacy of the antagonist.

This has nothing to do with the label of political parties. There have been societies, such as the United States or Britain in the nineteenth century, which have been basically conservative, so that existing parties could be considered at once conservative and progressive. There have been others, such as France for over a century, where all issues have been basically revolutionary, however the parties consider themselves, because of the existence of a fundamental social schism. The motivation of a stable social order is a concept of *duty*—the assertion of the self-evidence of the social maxims—where an alternative to the existing order is not rejected, but inconceivable. The motivation of a revolutionary period is a concept of *loyalty*, where the act of submitting the will acquires a symbolic and even ritualistic significance because alternatives seem ever present. An ethic of duty involves a notion of *responsibility* which judges actions by the orientation of the will. It is for this reason an ethic of *motivation*, striving for an identification of the individual code with a standard of morality which, no matter how rigid, must become individually accepted in order to be meaningful. An ethic of loyalty involves a notion of *orthodoxy*, because it is a means to

achieve a group identity. It is therefore an ethic of *relation* to group standards which may be validated in any number of ways: by rationality, tradition, charisma, etc. It does not exclude the identity of the individual with the social code, but it does not require it. "My country right or wrong"—this is the language of loyalty. "So act that your actions could become by your will universal laws of nature"—this is the language of duty. Duty expresses the aspect of universality, loyalty that of contingency.

But what is the conservative to do in a revolutionary situation? A stable social order lives with an intuition of permanence and opposition to it is either ignored or attempted to be assimilated. The fundamental conservative position, therefore, involves a denial of the validity of the revolutionary's question regarding the legitimacy of authority, but the question if capable of exacting a reply has indicated a kind of validity. Thus conservatism, whenever it ceases to be a way of life and emerges as a political movement, runs the risk of becoming the symbol of a revolutionary period. For what does it profit a conservative to emerge victorious in a battle of wills, in a struggle which only deepens the fissures and accelerates the revolutionary development? It is no accident that in revolutionary contests the conservative position comes to be dominated by its reactionary—that is, counterrevolutionary—wing, the group which fights in terms of will and with an ethic of loyalty. For the true conservative is not at home in social struggle. He will attempt to avoid an unbridgeable schism, because he knows that a stable social structure thrives not on triumphs but on reconciliations.

How then can the conservative rescue his position from the contingency of conflicting claims? How can that which *is* persuade when its self-evidence has disintegrated? By fighting as anonymously as possible, has been the classic conservative reply, so that if the answer must be given it will transcend the will, so that the contest occurs at least on a plane beyond the individual, so that obligation can become *duty* and not *loyalty*. To fight for conservatism in the name of history, to reject the validity of the revolutionary challenge because of its denial of the temporal aspect of society and the social contract—this was the answer of Burke. To fight for conservatism in the name of reason, to deny the validity of the revolutionary question on epistemological grounds, as contrary to the structure of the universe—this was the answer of Metternich.

The difference between the two conservative positions, although in many respects a question of emphasis, proved fundamental in application. To Burke the ultimate standard of social obligation was history; to Metternich it was reason. To Burke history was the expression of the "ethos" of a people; to Metternich it was a force to be dealt with, more important than most social forces but of no greater moral validity. Burke denied the revolutionaries' premise that reason supplied the sufficient basis for social obligation and his challenge was therefore destined to have no immediate effect. Metternich fought his battles in the name of the very Enlightenment that had produced his opponents and his was therefore a mortal challenge. To Burke, a revolution was an offense against social morality, the violation of the sacred contract of a nation's historical consti-

tution. To Metternich, it was a violation of the dictates of reason, to be combatted not because it was immoral, but because it was disastrous. Historical conservatism abhors revolution as undermining the *individual* expression of a nation's tradition; rationalist conservatism fights it as preventing the implementation of *universal* social maxims.

It was this rationalist conception of conservatism which imparted the rigidity to Metternich's policy and to his interpretation of the complementary issues of the nature of freedom and the meaning of authority which shape all political thought. The West has produced two basic replies: freedom as the absence of restraint and freedom as the voluntary acceptance of authority. The former position considers freedom to reside outside of the sphere of authority; the latter conceives freedom as a *quality* of authority. The negative version of freedom is the expression of a society transcending its political structure, a society which, as in Locke, exists prior to the state and whose political organization becomes like a company of limited liability organized for the achievement of determinate goals. In such a society the issue of conservatism against reform tends to appear as a question of emphasis, of greater or lesser change on problems of determinate form and content. Since the significant field of activity occurs outside the governmental sphere, politics has a utilitarian, but not an ethical function; it is useful, not moral. A society implementing Locke's concept of freedom is always conservative, whatever form its political contests take. Were it not, it could not operate a system whose strength resides in its social cohesiveness, in the things which are "taken for granted." Burke's defense of conservatism had for this reason no applicability to the British domestic scene, but was directed against its misapprehension by foreigners.

But the Continent has never been able to accept the Anglo-Saxon version of freedom. Before the French Revolution, this was because Locke's became the philosophy of an *accomplished* revolution, a doctrine of reconciliation which lacked the logical rigor of a call to action. Afterwards it was because the French Revolution, unlike the British, had produced a fundamental social schism. Cohesive societies can regulate themselves through custom which reveals that disputes are peripheral. Societies which contain fundamental schisms must rely on law, the definition of a *compulsory* relationship. Thus Kant and Rousseau, not Locke, were the representatives of the Continental version of liberty which sought freedom in the identification of the will with the general interest and considered government freest not when it governed least, but when it governed justly. To the British conservative, the social problem was one of adjustment, to protect the social sphere by timely political concession. But to his Continental counterpart, the problem was one of conservation in the literal sense, because to him political concession was equivalent to social surrender. For one can make concessions only *to* something. When state and society are two different entities, this is no problem. But when they are identical, a concession is a confession of failure, an avowal of the end of the conservative structure, a recognition of an unbridgeable social schism. Thus even at the end of his life, after his era had long ended, Metternich could still object to a speech by a British

Peelite, Sir James Graham, that the statesman's wisdom consisted of recognizing the proper moment for making concessions: "My conception of statesmanship differs completely. The true merit of a statesman . . . consists of governing so as to avoid a situation in which concessions become necessary."¹ Therefore, too, Metternich's characteristic pose of the philosopher-king who stood above the plane where personal feelings rule, cool, composed, superior.

Had Metternich been born fifty years earlier, he would still have been a conservative, but there would have been no need to write pedantic disquisitions about the nature of his conservatism. He would have moved through the salons of the fashionable world with his undeniable charm and grace, subtly conducting his diplomacy with the fine indirection which is itself the symbol of certainty, of a world in which everybody understands intangibles in the same manner. He would still have played at philosophy, for this was the vogue of the 18th century, but he would not have considered it a tool of policy. But in a period of permanent revolution, philosophy was the only means of rescuing universality from contingent claims. It was for this reason that Metternich fought so insistently against the identification of his name with his period, an attitude seemingly so inconsistent with his vanity. If there was a "Metternich system" his achievements would be personal, his battle meaningless. "My 'system,' " he maintained, "is nothing but the dictates of right reason."² And at the end of his life, he still could write:

For thirty-nine years I played the role of rock from which the waves recoil . . . until finally they succeed in engulfing it. They did not become calm however, afterwards, for what caused their turmoil was not the rock but their inherent unrest. The removal of the obstacle did not alter the situation, nor could it have. . . . I would like to call out to the representatives of social upheaval: "Citizen of a world that exists but in your dreams, nothing is altered. On March 14³ nothing happened save the elimination of a single man."⁴

It was thus that the Enlightenment retained deep into the nineteenth century its last champion, who judged actions by their "truth," not by their success, an advocate of reason in an age of philosophical materialism, who never surrendered his belief that morality could be known and that virtue was teachable. "These maxims have been proved true," he maintained in 1822. "Policy is based not on novels, but on history; not on faith, but on knowledge."⁵ "The world," he wrote to the Tsar in 1817, "is suffering from a very special disease, which, as all epidemics, will pass away, that of mysticism. . . . It would be easier today to renew the sermons of Peter the Hermit than to make clear to the afflicted that God demands another service than the shedding of blood and that no man can judge the conscience of his fellows."⁶ When another Napoleon appeared on the scene, thirty-five years after the defeat of his great predecessor, Metternich considered this not a personal failure but the illustration of a philo-

¹ Metternich, *Aus Metternich's Nachgelassenen Papieren*, 8 vols. (Vienna, 1881), Vol. 8, p. 562. This collection will be hereinafter cited as *NP*.

² *NP*, Vol. 8, p. 235.

³ March 14, 1848, the day of Metternich's resignation as Staatskanzler.

⁴ *NP*, Vol. 8, p. 232.

⁵ *NP*, Vol. 3, p. 542.

⁶ *NP*, Vol. 3, pp. 52ff.

sophical insight: "The millions of votes for Louis Napole  n are only the expression of an instinctive feeling that without order there can exist no social life and without authority no order. Today this truth calls itself Napoleon; so old has the world become that truth must assume a personal name, because all other roads have been closed to it."⁷ Truth must assume a personal name—this is the tragedy of the rationalist conservative, just as history with a personal name is that of the historical conservative. And the anonymity of the truth was also the paradox of the Enlightenment. When truth is strong, its foundation is faith, if only in a theory of knowledge. When truth is challenged, it becomes a dogma.

So it came about that Metternich in his never-ending battle against revolution went back to the doctrines of the age in which he had been brought up, but interpreted them with an inflexibility totally unnecessary when they were still taken for granted and which distorted their essence in application. He was still of the generation to whom the "great clockwork" or the "golden age" was more than an idle dream. There was a fitness in the universe which corresponded to man's noblest aspirations, a well-ordered mechanism the understanding of which ensured success and whose laws could not be violated with impunity: "States, just as human beings, often transgress laws; the only difference is the severity of their penalty."⁸ "Society has its laws just as nature and man. It is with old institutions as with old men: they can never be young again. . . . This is the way of the social order and it cannot be different because it is the law of nature . . . the moral world has its storms just like the material one."⁹ Metternich used these truisms of eighteenth-century philosophy to oppose revolution and liberalism not because they were wicked, but because they were wrong; not only because he did not wish to live in the world his opponents attempted to create, but also because this world was doomed to failure. Revolution was an assertion of will and of power, but the essence of existence was proportion, its expression law, and its mechanism an equilibrium.

For these reasons the conservative statesman was the supreme realist and his opponents the "visionaries." "I am a man of prose," Metternich insisted in his political testament, "and not of poetry." "My point of departure is the quiet contemplation of the affairs of this world, not those of the other of which I know nothing and which are the object of faith, which is in strict opposition to knowledge. . . . In the social world . . . one must act cold-bloodedly, based on careful observation and without hatred or prejudice. . . . I was born to make history, not to write novels, and if I *guess* correctly this is because I *know*. Invention is the enemy of history, which knows only discoveries, and only that which exists can be discovered."¹⁰ Statesmanship was the science of the interests of states¹¹ subject to laws entirely analogous to the laws of the physical world. The statesman was a philosopher who understood these maxims, who performed his tasks but reluctantly, for they deflected him from the source of the only real enjoy-

⁷ NP, Vol. 8, p. 197.

⁸ NP, Vol. 1, p. 35.

⁹ NP, Vol. 3, p. 322.

¹⁰ NP, Vol. 8, p. 184.

¹¹ NP, Vol. 1, p. 33.

ment, the contemplation of truth,¹² who was responsible only to his conscience and to history—to the former because it contained his vision of truth, to the latter because it provided the only test of its validity.¹³

II

What then were the insights which Metternich's maxims revealed to him? They showed a universe governed by law, not in the modern sense of an *interpretation* of events but as their *attribute*. To disregard the law and its dictates of harmony and equilibrium was not so much morally wrong as physically disastrous:

Isolated states exist only as the abstractions of so-called philosophers. In the society of states each state has interests . . . which connect it with the others. The great axioms of political science derive from the recognition of the true interests of *all* states; it is in the general interest that the guarantee of existence is to be found, while particular interests—the cultivation of which is considered political wisdom by restless and short-sighted men—have only a secondary importance. Modern history demonstrates the application of the principle of solidarity and equilibrium . . . and of the united efforts of states . . . to force a return to the common law.¹⁴

And just as in the political world the equilibrium reflected a balance between the forces of aggression and the forces of resistance, so the social order revealed an uneasy tension between the conserving and the destructive tendencies inherent in any body social. It was the task of statesmanship to distinguish the form and the substance of this contest and to create the moral foundation of an order on which only time could confer spontaneity. This led to another distinction, so often considered by the rationalist as the solution and not the definition of a problem: Man can only create *Chartes*, which have the value of programmatic announcements; it is time which makes constitutions.¹⁵

¹² *NP*, Vol. 3, p. 242, or p. 357, among many examples.

¹³ That Catholic Austria should have as its First Minister an intellectual contemporary of Kant and Voltaire may appear a paradox. But the relationship of the Holy Roman Empire to the Pope was not uninfluenced by the memory of five hundred years of struggle. Nor had the reforms of Joseph II, who had expelled the Jesuits and broken the political influence of the Church, ever been repealed. Moreover, the Pope was to Metternich not only a spiritual ruler but a second-class Italian prince and Metternich was determined that Austria dominate the Italian peninsula. At the Congress of Vienna his treatment of the Papal Secretary of State was peremptory and in 1817 he even toyed with the idea of making an Austrian archduke a Cardinal, the better to cement his position at the Vatican. Not religious ties but philosophical and political agreement characterizes Metternich's correspondence with the Papal Secretary of State when the Church and Austria marched hand in hand. See *Metternich et Consalvi, Correspondence*, ed. Charles van Duerem (Louvain, 1899). The following letter by Metternich to Nesselrode, the Russian Foreign Minister, makes clear his attitude towards the Church: ". . . No Catholic power is more independent, . . . of the views of the Court of Rome than we. The heir of so many Holy Roman Emperors and the nephew of Joseph II knows what he owes God and what to his honor: our ecclesiastical departments may extend their dogma regarding the rights of the Crown too far, and if it is too far it is surely not in favor of the Court of Rome that they tip the scale." *NP*, Vol. 3, p. 57. Metternich was not irreligious, but he admired the Church more for its utility and its civilizing influence than for its "truth."

¹⁴ *NP*, Vol. 1, p. 334.

¹⁵ *NP*, Vol. 7, p. 636, Vol. 8, p. 525.

Metternich therefore opposed the efforts of his contemporaries to construct ideal constitutions for two reasons. They overlooked the factor of time, not in Burke's sense of an almost hallowed entity, but as one of the most potent social forces. And they were unrealistic because they took no account of the differing requirements of the national character:

That constitution is best which most completely corresponds to the material and moral requirements of the national character. . . . There is no universal recipe for constitutions, any more than for the advancement of health. . . . That constitutions influence national character is undeniable truth, but its counterpart is no less true, that lasting constitutions must be a product of this character, and not of an excited, and therefore fleeting, public opinion.¹⁶

The whole discussion about constitutions was in any case beside the point. Anything that existed was subject to law and the expression of law in the political world is a constitution: "A state without a constitution is an abstraction just as an individual without a corresponding psyche."¹⁷

It was for this reason contradictory to attempt to achieve freedom by means of constitutional guarantees: "Rights," according to Metternich, could not be created, they existed. Whether they were affirmed or not was an incidental, essentially technical, question and had nothing to do with freedom. Nobody could transgress laws, not even kings—reminiscent of Grotius' classic phrase that not even God could make two plus two equal five. To guarantee rights was therefore a paradox; it was to clothe in the language of power what can only be a statement of fact, to endow with an arbitrary existence what has eternal validity:

Things which ought to be taken for granted lose their force when they emerge in the form of arbitrary pronouncements. . . . The mania of law-making is a symptom of the disease which has ravaged the world for sixty-two years. . . . Natural, moral or material forces are not fit subjects of *human* regulation. What would one say of a *Charte* which side by side with the Rights of Man exhibited the laws of gravitation? . . . If there is no God, He will not be created by pronouncements; if He exists, He will not require human recognition to achieve divinity. . . . Objects mistakenly made subject to legislation result only in the limitation, if not the complete annulment, of that which is attempted to be safeguarded.¹⁸

Here, then, was the rationalist belief in rights as an attribute of the universe, the aristocrat's vision of the inseparability of power and responsibility, the Enlightenment's faith in the connection between order and freedom. While it asserted the existence of "rights" transcending any human construction, indeed from which human construction could only detract, it emphasized a fundamental contradiction of democratic theory: the view of human nature which insisted on man's capacity for self-government was combined in the same theory with another view of human nature which limited the scope of this government. Why, if man is conscious of arbitrary oppression, should he wish to oppress others? Why should universal rights be guaranteed? This has, of course, never been a problem in Anglo-Saxon countries where the relation between state and society has had a juristic, not an ethical foundation. In such cases constitutional

¹⁶ *NP*, Vol. 7, p. 637.

¹⁷ *NP*, Vol. 7, p. 635.

¹⁸ *NP*, Vol. 8, p. 557f.

guarantees have had the value of the differences between explicit and implicit limitations on a government in any case understood as limited. But in an "ethical state" an explicit limitation on government is meaningless. If the state justifies itself not by its utility but by its morality, there exists no tribunal before which to appeal its measures. If the sanction is not juridic but ethical, limitation can come about only by self-restraint, not by constitutional guarantees.

This was the challenge of the conservative statesman to his liberal opponents: if the conservative became an unwilling symbol of a revolutionary period by being forced into a definition of the nature of authority, the liberal contradicted himself by identifying freedom with constitutional guarantees. To be sure, Metternich did not have a solution of his own to the query regarding the nature of freedom, because he thought it inseparable from the notion of authority. But, equally, his opponents had not really dealt with the problem of authority which they thought exhausted in the definition of freedom. And yet they were closer than they realized, for had one asked Metternich as to the limits of authority and his opponents as to the limits of freedom, both would have answered with one word which indicated that to them the question was essentially meaningless: reason, self-evident and sovereign, which contained its applicability in its very conception, would trace the boundary of freedom as well as of necessity. That the categorical imperative was capable of contingent interpretation was inconceivable to Kant. That a sovereign should substitute force for law was not inconceivable to Metternich, but he considered it suicidal and therefore unlikely. It is this which gave the dispute between Metternich and the liberals the bitterness of a civil war, at least on the "democratic" side. For Metternich was an opponent who fought liberalism in the name of the very universality it claimed for itself, whose mode of argument represented as much of a challenge to his opponents as their existence did to him. It is difficult, indeed, for a rationalistic philosophy to survive the demonstration that the same premise can lead to two diametrically opposed conclusions.

III

If Metternich considered the quest for formal constitutions chimerical, he saw in revolutions a physical disaster. In a universe characterized by the balance between the forces of conservation and those of destruction, revolution was due to a disturbance of the equilibrium in favor of the latter. But since the equilibrium was the "natural" condition, a revolution could achieve no more than a dislocation straining towards a new integration. The disorders attendant on revolutions were therefore symptoms of a transitional period and their violence a reflection of the ignorance of their advocates: "Revolutions are temporary disturbances in the life of states . . . Order always ends up by reclaiming its own: states do not die like individuals, they transform themselves. It is the task of statesmanship . . . to guide this transformation and to supervise its direction."¹⁹ The difference between a conservative and a revolutionary order was not the fact of change but its mode:

¹⁹ *NP*, Vol. 8, p. 468.

A consideration the liberal spirit usually ignores . . . is the difference in the life of states, as of individuals, between progress by measured steps or by leaps. In the first case, conditions develop with the consequence of natural law; while the latter disrupts this connection. . . . Nature is development, the ordered succession of appearances; only such a course can eliminate the evil and foster the good. But leaping transitions wind up by requiring entirely new creations—and it is not given to man to create out of nothingness.²⁰

Civilization, then, was the degree to which change could come about “naturally,” to which the tension between the forces of destruction and of conservation was submerged in a spontaneous pattern of obligation. Thus true civilization had come only with the advent of Christianity, which made authority inviolable, obedience sacrosanct, and self-abnegation divine²¹—the rationalist’s functional interpretation of religion.

It is expressive of the conservative dilemma that Metternich’s pronouncements on the nature of authority are truistic—because a conservative takes it for granted; and that those on the meaning of freedom are skimpy—because he considered the question meaningless. But his analysis of the nature of revolutions is lucid and powerful. In 1820, while arranging the series of congresses designed to defeat revolutions in Germany and Italy, Metternich wrote a “profession of faith” which coupled an analysis of the nature of revolution with a philosophy of history.²² Up to the sixteenth century, Metternich maintained, the forces of conservation and of destruction had been in an increasingly spontaneous balance. But then there occurred three events which, in time, caused civilization to be supplanted by violence and order by chaos: the invention of printing, the development of gun powder, and the discovery of America. Printing facilitated the exchange of ideas which thereby became vulgarized; the invention of gun powder changed the balance between offensive and defensive weapons; and the discovery of America transformed the situation both materially and psychologically. By the influx of precious metals it produced a sudden change in the value of landed property, which is the foundation of a conservative order, and by the prospect of rapid fortunes it brought about a spirit of adventure and a dissatisfaction with existing conditions. And then the reformation completed the process by overturning the moral world and exalting man above the forces of history.

All this gave rise to a type of individual who symbolized the revolutionary era: the presumptuous man, the natural product of a too-rapid march of the human spirit towards seeming perfection:

Religion, morality, legislation, economics, politics, administration, all seem to have become a common good and accessible to everyone. Science appears intuitive, experience has no value for the presumptuous; faith means nothing to him and he substitutes for it the pretense of a personal conviction, to arrive at which, however, he dispenses with analysis or study, for these seem too subordinate activities to a mind which believes itself capable of embracing at one blow the whole ensemble of issues. Laws have no value for him because he did not contribute to their preparation and it is below the dignity of a man of his quality to recognize limits traced by ignorant and brute generations. Power resides in himself; why submit to what can have use only to men deprived . . . of insight? That

²⁰ *NP*, Vol. 7, p. 638.

²¹ *NP*, Vol. 8, p. 242.

²² *NP*, Vol. 3, pp. 400 ff.

which was appropriate for an age of weakness is no longer adequate for that of reason . . . [All this] tends to an order of things which individualizes all the elements which compose society. . . .²³

It would be difficult to find a more tragic statement or one more symbolic of the nature of revolutions. For its significance lay not in its content but in the fact that it was beside the point. What was intended as sarcasm—the exhibition of an incommensurability between pretense and reality—amounted to no more than the description of the objectives of his opponents. That which Metternich believed he merely needed to exhibit to reduce to absurdity, his opponents thought required only an affirmation in order to be validated. It was the inevitable revolutionary misunderstanding, the reluctance to admit that “truth” may not be self-evident. While Metternich desperately attempted to protect “reality” against its enemies, the issue became increasingly a debate about its nature and the nature of “truth.” Had “reality” still proved unambiguous, he would not have needed to affirm it. By the increasing insistence of his affirmation, he testified to its disintegration.

Metternich next distinguished the presumptuous by type and by origin. They were composed of levellers and theoreticians: the former, men of powerful wills and strong determination; the latter, theoreticians living in a world of their own. But whatever guise presumption assumed, its place of origin was the middle class. The revolutionary aristocrat was a lost soul, destined to become the victim of the Revolution or to be degraded by being forced to play the role of courtier to his inferiors. And the mass of the population always distrusted change and craved only the equal protection of laws in order to pursue their hard calling. But the middle class—the lawyers, the writers, the bureaucrats, the half-educated, owning the means of communication, ambitious but without goal, dissatisfied but unable to offer an alternative—this was the real organ of revolution. It was no accident, concluded Metternich, that the revolution occurred not in the poorest, but in the richest country of Europe, not in the most backward but in the most advanced state, so demoralized that “the revolution had already triumphed in the palace of the kings and in the boudoirs of the towns before it even began to prepare itself in the mass of the people.”

The Revolution could not have triumphed then but for the weakness of the government and for having at its disposal a myth whose literal application proved ruinous: the attempt to transplant British institutions to the continent. “Among the causes of the tremendous confusion characterizing present-day Europe,” wrote Metternich in later life, paralleling his “profession of faith,” “is the transplantation of British institutions to the Continent, where they are in complete contradiction to existing conditions, so that their application becomes either illusory or distorted. The so-called ‘British school’ has been the cause of the French Revolution and the consequences of this revolution, so anti-British in tendency, devastate Europe today. The concepts of freedom and order are so inseparable in the British mind that the last stable-boy would laugh in the face

²³ *NP*, Vol. 3, p. 405.

of the reformers if they appeared by preaching his freedom. . . . This is because the English are only concerned with the substance, never with the form."²⁴ The wars of the French Revolution had spread these principles across Europe and only the hatred of Bonaparte delayed, for a little while, their baneful impact, largely through a misunderstanding. For the war, fought by the kings against Napoleon, was fought by the people in part against their own masters in the hope of obtaining from them the realization of the promises of the French Revolution. The wise peace concluded in 1814 might have inaugurated a period of tranquility, but Napoleon's return from Elba undid in one hundred days his work of fourteen years of power. By unleashing the revolution in France, he exposed Europe to unending social strife.²⁵

IV

This was a powerful analysis of the cause of the unrest sweeping across Europe. But its power was at the same time its bane. For if the revolutionary spirit was so widespread, how could it be combatted? If the causes of the revolution were so fundamental, dating so far back in history, what possible remedy could exist? If the middle class was so potent, how could it be dealt with? By gradual integration, by learning moderation and the need for adaptation, a Burke might have answered. Even Castlereagh could still advise Louis XVIII that revolutionaries "are nowhere so little to be dreaded as in office, mixed up with other material. Tyrants may poison an obnoxious character but the only means a constitutional monarch has to restrain him is to employ him."²⁶ But to Metternich, the rationalist conservative, this solution was a dangerous evasion. To the product of the Enlightenment, political problems had to assume the precision of logical antinomies and he therefore sharpened the differences instead of smoothing them over. If the forces of destruction were rampant, it was the task of the conservative to strengthen those of order. If the cry for reform was universal, it was all the more imperative to resist in the name of authority.

In this manner the equation, freedom = voluntary submission to order, became in practice a definition of sterility and unexceptional maxims, justifications for inaction. So it happened that Metternich never tired of comparing concessions to popular clamor to squandering capital; therefore the basic maxim "that in the middle of agitated passions one can not think of reforming; wisdom in such situations confines itself to maintaining."²⁷ Therefore the increasingly rigid opposition to *any* change, for change symbolized the possibility of yielding to pressure: "Where everything is tottering, it is above all necessary that something, no matter what, remain steadfast, so that the lost can find a connection and the strayed a refuge."²⁸ This accounted for the preference for Napoleon over the

²⁴ *NP*, Vol. 8, p. 218 ²⁵ *NP*, Vol. 3, p. 409.

²⁶ Charles K. Webster, *The Foreign Policy of Castlereagh*, 2 vols. (London, 1931), Vol. 1, p. 547.

²⁷ *NP*, Vol. 3, p. 415.

²⁸ Heinrich Srbik, *Metternich, der Staatsmann und der Mensch*, 2 vols. (Munich, 1925), Vol. 1, p. 354.

Bourbons, despite the "legitimacy" of the latter; to Metternich, legitimacy was not an end but a tool, and when it conflicted with the requirements of stability, it had to yield. Therefore, paradoxically, Metternich became a defender of existing institutions, however much he might deplore them, because their overthrow would be an even more dangerous symbol. When in the panic of 1820 the Grand-Duke of Baden offered to abolish his constitution, Metternich replied: "Every order lawfully established bears within itself the principle of a better system. . . A *Charte*, in any case, is not a constitution. It is up to the government to separate good and evil, to strengthen public authority and to protect the repose and the happiness of nations against hostile attack."²⁹

It was a futile contest, a tour de force leading to self-destruction, this effort to bring about change through order and to identify order with tranquility in the middle of a revolutionary period. It was really, despite its protestations to the contrary, an effort to recapture a lost innocence, a quest for a period when obligation was spontaneous, an aristocratic notion of government as the reciprocal execution of duties. The "Metternich system" answered the question of the cause of the revolution, but gave no indication of a solution once the revolution had occurred. It spoke abstractly of its readiness to reform, but never discussed what specific measures it would consider appropriate. As late as 1851, Metternich could give no better advice to the then Minister, Schwarzenberg, than to strengthen the landed aristocracy, as if the middle class could still be crushed. The assertion that revolutions were always the fault of governments, that only action could conserve, was unexceptionable. But in practice it led to a vicious circle because Metternich, although not opposed to reform in principle, wanted it as an emanation of order, while his opponents desired the same thing in the name of change. The result was a stalemate, a triumph of form over substance.

Metternich's thus became a never-ending quest for a moment of tranquility, for a suspension, if only for an instant, of the flux of life, so that what happened, perhaps inevitably, could be represented as a universal principle instead of an assertion of will and of indeterminacy. It was as if a physicist, unable to measure both position and velocity of the electron accurately, bent all his energies to making the electron hold still, if only a fraction of a second, because this would enable him to chart its course for eternity. Or like the driver of a car heading out of control in an unknown direction down a precipitate mountain road, too narrow for turning around; if he could but capture the wheel, he would still have to descend the mountain, but it would represent will and not chance. So it happened that Metternich's insights, however powerful, became increasingly dogmatic. While he might have been right in asserting that those who have never had a past cannot own the future, one must add that those who *have* had a past may doom themselves by seeking it in the future.

And still in all this obtuseness there was an element of grandeur. For Metternich had no illusions about the probable developments; he saw his task in ameliorating their inevitable consequences:

²⁹ *NP*, Vol. 3, p. 375.

The existing society is on the decline. Nothing ever stands still . . . and society has reached its zenith. Under such conditions to advance means to descend. . . . Such periods appear interminable to contemporaries, but what are two to three hundred years in the annals of history? . . . My life has fallen into a terrible period. I was born either too soon or too late. . . . Formerly I would have enjoyed life, later I could have helped in the reconstruction. Now I spend my time shoring up decaying buildings.³⁰

He fought the revolution not because it was impossible but because it was "unnatural." And he combatted democracy because "authority is an expression of the power of permanence; while in [parliamentary government] power appears under the aspect of transitoriness . . . I understand that little minds like to think of themselves as the expression of power, but it is equally without doubt that the opponents of *all* authority like to see it reduced to personal terms, because it will facilitate their effort to eliminate it . . ."³¹ Because he considered order the expression of the equilibrium and equilibrium the reflection of the structure of the universe, he was certain that the "basic interests" of states would reassert themselves in the end. But he predicted that the revolutionaries would be horrified by the world they were bringing about.³² The greater the dislocation, the more violent the interregnum of chaos. Despotism, to Metternich, was not the absence of guaranteed rights, but government without universal maxims. Tyranny was not the cause of revolutions, but their likely result. And the more the forces of destruction succeeded in undermining the social order, the more authority—the inevitable expression of society—would have to assume personal shape, the conservative's vision of arbitrariness: "The word freedom," Metternich wrote in his political testament, "has for me never had the character of a point of departure but of a goal. The point of departure is order, which alone can produce freedom. Without order the appeal to freedom is no more than the quest of some specific party for its special objectives and will in practice always lead to tyranny. Because I have been a man of order, my efforts were directed towards the attainment of a real, not a deceptive freedom. . . . I have always considered despotism of any kind a symptom of weakness. Where it appears it condemns itself; most intolerably where it appears behind the mask of advancing the cause of liberty."³³

It was thus that Metternich posed the conservative challenge as the need to transcend the assertion of exclusive validity of the will and as the requirement to limit the claims of power. It was a redefinition of the classic theological version of humility, "Thy will be done," with reason taking the place of God. It represented an effort to deal with the most fundamental problem of politics, which is not the control of wickedness but the limitation of righteousness. To "punish" the wicked is a relatively easy matter because it is a simple expression of public morality. To restrain the exercise of righteous power is more difficult because it asserts that right exists in time as well as in space; that voli-

³⁰ *NP*, Vol. 3, pp. 347 ff.

³¹ *NP*, Vol. 8, p. 467. He did not apply this to Great Britain, where he saw the permanence of authority expressed in the phrase "His Majesty's Government."

³² *NP*, Vol. 8, p. 235.

³³ *NP*, Vol. 7, pp. 633 ff.

tion, however noble, is limited by forces transcending the will; that the achievement of self-restraint is the ultimate challenge of the social order. Metternich dealt with this problem by asserting that excess in any direction was disruptive of society. The individual will was contingent because man was an aspect of forces transcending him, of society and its historical expression, the state, which were products of nature as surely as man himself, for they reflected his basic needs for justice and order. Because they were "natural," states had a life cycle just as human beings, only they were incapable of the ultimate human solace: they could not die, they had to pay the price of *all* their transgressions.³⁴

It was only appropriate, therefore, that the last act of the conservative statesman was of a symbolic nature, a plea for the anonymity which alone could justify his maxims. When, in 1848, a deputation of the victorious revolution called his resignation "generous," the aged Metternich replied: "I protest solemnly against this term. Only a Sovereign can be generous; my action is the result of my sense of right and my concept of duty." Thus the final gesture of the "doctor of Revolutions" was a last desperate assertion of order, of the precedence of right over will even in defeat after half a century of struggle. And when one of the deputies insisted on using the term "generous" Metternich replied: "In resigning I anticipate another claim, that I have carried the monarchy away with me. But this is not the case. No individual has shoulders strong enough to carry an Empire; if states disappear, it is because they lose faith in themselves."³⁵ This was Metternich's personal tragedy: history can illustrate logic but not prove it and although it teaches its lessons surely, it does not do so in a single lifetime. And it was also the final symbolization of the conservative dilemma: that it is the task of the conservative not to defeat but to forestall revolutions, that a society which cannot *prevent* a revolution, the disintegration of whose values has been demonstrated by the *fact* of revolution, will not be able to defeat it by conservative means, that order once shattered can be restored only by the experience of chaos.

³⁴ *NP*, Vol. 1, p. 334.

³⁵ *NP*, Vol. 7, p. 626; Vol. 8, p. 212.

THE CONTEMPORARY DOCTRINE OF THE SOVIET STATE AND ITS PHILOSOPHICAL FOUNDATIONS

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I. THE REPUDIATION OF THE MARXIST THEORY OF THE STATE IN THE SOVIET UNION

"The problem of the 'dying away' of the state," observed A. Y. Vyshinsky rather sarcastically in a recent monograph, "is a purely theoretical problem."¹ Within the context of contemporary Soviet political theory, the accuracy of this observation is beyond question, although Vyshinsky would have been the first to admit that a "theoretical problem," no matter how pristine, always reflects a practical quandary within the methodological precepts of Marxist-Leninist ideology. This particular theoretical problem conceals an important chapter in the profound transmutation of Marxist political theory and its philosophical substructure in the Soviet Union, for it was the failure to cope adequately with this utopian legacy which led to the abandonment of the eschatological categories of the Marxist doctrine and the erection of a totally new theoretical edifice supported by new philosophical foundations.

Contrary to widespread impression, the theoretical problem of the Soviet state was not satisfactorily resolved at the 18th Party Congress in 1939, although the view is prevalent that Stalin was able to provide an adequate rationalization for the existence of the state in Soviet society. It was on this occasion that the late Soviet leader explained that the state was a necessary institution because of "capitalist encirclement" and that it would persist in socialist and communist society until this encirclement was finally liquidated.² Pragmatic expedients, unconnected with basic philosophical premises, however, do not constitute an exegesis of Marxist political doctrine, for Stalin's pontifications constituted not a new theory of the state—nor even a revised theory—but nothing more than a formal and open repudiation of Marxist political theory.

One of the outstanding facts of this Congress was Stalin's candid confession that Soviet political theory had reached a nadir in its evolution. The case could hardly have been otherwise, since Stalin in 1930 had embarked on a steady course of systematically rejecting Marxist political formulae and of purging his associates who differed with him on the theory of the state, notably Bukharin.³ Utter confusion reigned in the minds of the surviving party intelligentsia con-

¹ A. Y. Vyshinsky, *The Teachings of Lenin and Stalin on the Proletarian Revolution and the State* (London, 1948), pp. 115-16.

² J. V. Stalin, *Leninism: Selected Writings* (New York, 1942), p. 474.

³ See Stalin, *Political Report to the Sixteenth Congress* (London, 1930), pp. 171-72; *Leninism: Selected Writings*, pp. 77-133 (for Stalin's attacks on Bukharin's views on the withering away of the state), and pp. 267, 340-41, 395 (for the various reservations introduced into the withering away theory between the years 1930 and 1939).

cerning the question of the state. The Soviet state was a psychological burden that weighed upon them like a bad dream. Engels had said that "the state is the admission that this society . . . is cleft into irreconcilable antagonisms, which it is powerless to exorcise,"⁴ and Lenin taught that "the existence of the state proves that class antagonisms *are* irreconcilable."⁵ These views contrasted violently with Stalin's commentary on the new Constitution, wherein he stated that all class antagonisms had disappeared in Soviet society, yet promised "The transformation of the dictatorship into . . . a more powerful system of guidance of society by the state."⁶ Clearly the Soviet intelligentsia had good reason to suffer from creative inadequacies in the field of political theory, as charged by Stalin, who cavalierly accused them of refusing to recognize that certain of the general propositions of the Marxist doctrine of the state were incompletely worked out and were inadequate.⁷

Stalin explicitly abandoned traditional Marxist theory by proclaiming the Soviet state a state *de novo*, completely unforeseen by Marx, Engels, or Lenin; consequently, it could not be analyzed in accordance with traditional Marxist categories. Unlike historical states, the Soviet state was unencumbered with functions of exploitation; it was engaged in purely benevolent activities such as protecting the new society, devoid of class conflict, from capitalist aggression abroad and resurgence at home, and preparing the economic and ideological foundations for the transition to the promised land of communism.⁸ Thus the state was transformed from the Marxist image of a class-cleft society into a symbol of class harmony; from an institution representing the interests of a specific ruling class to one representing the interests of society as a whole, even in an epoch of admitted class distinctions;⁹ and from a symbol of social immorality and oppression into one of high ethical value. With this transformation, the entire question of the state's abolition was indeed "purely academic," and in fact irrelevant, since the original impulse for its eradication—its oppressive and malevolent character—evaporated with Stalin's conversion of the state into the incarnation of social progress and benevolence.

Neither Stalin's tendentious arguments at this Congress, nor his bombast, too familiar to bear repetition here, nor his pragmatic rationalizations, based on existing international tensions, nor his succulent observations on the coercive apparatus of the state, constituted either an innovation in Marxist theory or a new theory.¹⁰ This qualitative transformation of the Soviet state implicitly

⁴ Friedrich Engels, *The Origin of the Family, State and Private Property* (New York, 1942), p. 155.

⁵ V. I. Lenin, *Selected Works*, 12 vols. (New York, various dates), Vol. 7, p. 8.

⁶ Stalin, *Leninism: Selected Writings*, p. 395.

⁷ *Ibid.*, p. 470.

⁸ *Ibid.*, pp. 473-74.

⁹ It will be recalled that Soviet society was not purged of class distinctions, but of class antagonisms. Two classes, peasants and workers, and one "stratum," the intelligentsia, are officially recognized. See Stalin, *Leninism: Selected Writings*, pp. 382-84.

¹⁰ *Ibid.*, pp. 468-74. See Hans Kelsen, *The Political Theory of Bolshevism* (Berkeley, 1949), and Calvin B. Hoover, "The Soviet State Fails to Wither," *Foreign Affairs*, Vol. 31, pp. 114-27 (Oct., 1952), for extended discussions of Stalin's pronouncements on the theory of the state before the 18th Party Congress.

required equally fundamental alterations in the basic dogma of Marxism, dialectical and historical materialism, upon which rested the now-repudiated Marxist theory of the state. Since the interconnection of Marxist social, economic, and political categories is one of absolute, but dynamic, interdependence, the repudiation of the political categories moved Stalin's new state clearly out of focus with the basic philosophy of Marxism. The new state required not only a new theory, but a new philosophical and epistemological foundation as well.

Three fundamental questions, vital to the canons of dialectical and historical materialism, remained unanswered as a consequence of Stalin's pontifications in 1939. These were: (1) What replaces the class struggle as the motive force of historical progress in the dialectical movement in Soviet society? (2) What interests does the Soviet state represent, if not that of a ruling class, and how are these interests manifested? (3) How does the state accord with the pattern of dialectical progress within the context of contradictory forces?

These questions were eventually resolved, allegedly in accordance with the internal self-regulating characteristic of the Marxist system, which dictates its own inner transmutation under the impact of qualitatively changing historical circumstances. A complete shift of emphasis in the original equilibrium established by Marx between the voluntaristic and deterministic factors in the dialectical process was clearly involved. The reconstruction of Soviet political theory and Soviet philosophy, substantially performed between 1948 and 1952, rests, in effect, upon a re-inversion of the Marxist epistemological formula, which establishes the relationship between social consciousness and social existence.

II. FROM STALIN TO HEGEL

The failure of the Soviet state to dissolve into the dialectical limbo of history once the material conditions for its existence had vanished, forced the dialectic out of its materialistic shell back towards its Hegelian origins. Stalin's conversion of the Soviet state from an institution spawned by irreconcilable class conflict into one representing total class harmony and monolithic collective unity can be fully understood only by examining the basic incompatibilities inherent in the Marxist system and their Hegelian inheritance. These inconsistencies are responsible for the enormous gulf between reality and philosophy which developed in contemporary Soviet life once the doctrine went beyond the phase of a mere untried hypothesis.

The fundamental antinomy originated in Marx's attempt to unite the dynamic activism of Hegel's idealism with the passive perception of Feuerbach's materialism. This union of voluntarism and determinism was accomplished, so Marx thought, by striking a dynamic equilibrium between man's will (social consciousness) and nature's implacability (social existence) in which the latter would assume epistemological priority under the conditions of capitalism, whereas the formula would be reversed once the state had "withered away."¹¹

¹¹ Engels, *The Anti-Duehring* (New York, 1939), pp. 309-10. Bukharin writes that "some bourgeois scholars inferred that Engels meant that determinism would lose its validity in communist society," but he maintains that "this view is based on a crude distortion of Marxism," *Historical Materialism* (New York, 1925), p. 42.

The imperative of a deterministic nature was necessary to allow scientific prediction of the future, whereas the imperative of voluntaristic man was required to guarantee that this future would be an optimistic one. The relationship between these two forces was relative, but the unifying element was to be the single absolute and independent abstraction—the inscrutable dialectical movement, which Marx felt could take care of its own internal contradictions in triadic simplicity.

By uniting voluntarism and determinism, Marx thought he had established an absolute logical interconnection between reality and utopia—between the world of fact and the world of value. Undoubtedly this claim is one of the most attractive features of the Marxist philosophy, for it pretends to support social purpose with scientific analysis, thus satisfying two basic yearnings of the 19th and 20th centuries. Marxism, as a system compounded of both perceptive and active categories, was never more boldly stated than in Marx's critique of Feuerbach, wherein he boasted that the function of his system was not merely to explain the world, but more importantly, to change it.¹² This duality of Marxism was first reflected in a causal-analytical system which analyzed capitalist society (contemporary reality), dissecting it into its antagonistic components, and thereby exposing the basis upon which to predict its doom. Secondly, Marxism consisted of a pragmatic-normative system which purported to predict the evolution of society through successive stages in accordance with the inexorable operation of "laws," which were supposed to be objective and scientifically determinable, but which were, in fact, normative categories to be achieved by an active process disguised as man working in concert with the objective historical laws of the dialectical process.

Unlike Hegel, Marx did not purport to rationalize an existing social order, since he was interested essentially in rationalizing revolution. The absence of an ideological function (in the Mannheim sense) distinguished Marx from both Hegel and Stalin, but the system was potentially ideological by its very structure. The social function of Hegel's dialectic was to provide an articulate rationalization for the *status quo* as the expression of Divine Will on earth working its way to sublime perfection, whereas Marx used the identical dialectic, with inverted categories, to expose the inequities of the same social order and as a basis for predicting its violent demise. Stalin's theory embraced both functions. With respect to Soviet society, it serves the same integrative function as Hegel's—to rationalize the Soviet social order and provide for an orderly transition to the communist utopia. But outside the Soviet Union Stalin accepts the essentially disintegrative social function of Marx in his attitude to the non-Soviet world. In Stalin's case, the latter function serves to reinforce the first.

Hegel's philosophy served to establish the eternity of the state as a divine organism symbolizing the apotheosis of societal harmony and divine ethic, while the same philosophy, inverted by Marx, declared the state to be the ephemeral repository of social misery and oppression—a wicked machine to be

¹² Karl Marx, "Theses on Feuerbach," *Selected Works*, 2 vols. (New York, n.d.), Vol. 1, p. 473. This work also contains selections from the writings of Engels.

destroyed. These diametrically opposed conceptions required diametrically opposed attitudes toward the state—for Hegel, exaltation; for Marx, denunciation. The failure of the Soviet state to wither forced Stalin to embrace both conceptions, for if the state resists abolition in accordance with the Marxist dictate, the subtle distinctions between Marx and Hegel vanish, and the state survives in accordance with the re-inverted dialectic—an absolute process driving to absolute order. However, Stalin retains the Marxist conception of the state insofar as the bourgeois world is concerned. Even if Hans Kelsen's remark¹³ that "nothing can show more clearly the futility of the dialectical method than the fact that it enables Hegel to praise the state . . . and Marx to curse it," is true, it does not refute Stalin's eloquent demonstration of its utility, for he employs the identical dialectic simultaneously to exalt the Soviet state and damn the bourgeois.

III. FROM DETERMINISM TO VOLUNTARISM: THE TRANSMUTATION OF DIALECTICAL AND HISTORICAL MATERIALISM

The Voluntarism of Lenin: Revolution from Below. During Marx's lifetime, and throughout all of his writings, the deterministic factor in his philosophy was everywhere emphasized in an endeavor to stress its scientific character. One of the consequences of this disproportionate emphasis was the apparent deprecation of the role of political power and its subordination to the economic forces operating in human history. Although Engels, in later years,¹⁴ tried to re-establish an equilibrium between politics and economics by denying that either he or Marx asserted that political power was supinely dependent upon the protean economic forces operating in society, it remains incontestable that the Marxist doctrine as a whole was understood by protagonists and antagonists alike as teaching not only the deprecation of political power, but its ultimate superfluity as well. Actually, Engels so vigorously denied the purely subsidiary role of political power as to elevate it to a significance which virtually emasculated the materialistic basis of the Marxist system.¹⁵

This shift of emphasis to the voluntaristic aspect of Marxism was accelerated by Marx's Russian admirers, especially George Plekhanov and Lenin, because the facts of revolutionary life in Russia put a premium on human action. Actually, the antipodal elements of voluntarism and determinism were at the basis of the split of the Russian Marxists into Bolsheviks and Mensheviks. This is attested to by no less an authority than Lenin, who wrote that "the disagreement concerning the estimation of the *relative* importance of the spontaneous and the consciously 'methodical' elements" is "the quintessence of the present-day theoretical and political differences that exist among the Russian Social Democrats."¹⁶

¹³ Kelsen, *The Political Theory of Bolshevism*, p. 19 (cited in note 10).

¹⁴ See Engels' letter to J. Bloch in *Selected Correspondence of Marx and Engels* (New York, 1942), p. 477.

¹⁵ *Ibid.*, pp. 475-76 (Engels to Bloch); pp. 483-84 (Engels to C. Schmidt); pp. 516-19 (Engels to Starkenburg).

¹⁶ Lenin, *What Is To Be Done?* (New York, 1929), p. 31.

Lenin, of course, received his initial and most profound introduction to Marx via George Plekhanov, and although Lenin and his master eventually split over the determinism-voluntarism dilemma, it was Plekhanov who, in a series of brilliant expositions, amplified the active side of Marxism in order to refute the charge of "fatal determinism" levelled against it by critics. "Men make history," Plekhanov wrote, "and, therefore, the activities of individuals cannot help being important in history."¹⁷ In another work, Plekhanov wrote:

If I know in what direction social relations are changing . . . I am able to influence it . . . Hence in a sense I *can make history* and there is no need for me to wait while "it is being made." . . . The change never takes place "by itself"; it always needs the intervention of *men*.¹⁸

Marx admitted that man could discover the dialectical laws governing social development; Engels and Plekhanov preached the idea that men could influence the acceleration of these laws; Lenin maintained that their direction could be guided. It was in his *What Is To Be Done?* that Lenin clearly embraced "consciousness" as against what he called "subservience to spontaneity" and "belittling of the conscious element."¹⁹ Rejecting the view that "politics always obediently follow economics," he boasted: "Give me an organization of revolutionists and we shall overturn the whole of Russia."²⁰

"Politics," said Lenin after the Bolshevik Revolution, "cannot but have precedence over economics. To argue differently means forgetting the ABC of Marxism."²¹ This was an affirmation of the supremacy of voluntaristic man over deterministic nature, yet Lenin's writings would seem to restrict this relationship to the revolutionary process itself. It did, however, provide a convenient methodological springboard for his pupil Stalin. For if it was Lenin who decreed the primacy of politics and consciousness over economics and spontaneity in the revolutionary struggle, it was Stalin who developed the doctrine that Russia was a mound of clay, waiting to be molded into a communist society with political instruments at the disposal of men with the necessary will and persistence to dictate the course of history in the illusion that they were following its objective and implacable mandate! Although some evidence suggests that Lenin was also partial to this view, his writings on the subject remain fairly ambiguous and implicit at best. Whether Lenin would have embarked on a program of socialism and communism in one country is highly debatable.²²

¹⁷ George Plekhanov, *The Role of the Individual in History* (New York, 1940), p. 23.

¹⁸ *Ibid.*, p. 61. See also his *Materialist Conception of History*, in which he draws a distinction between "economic materialists" and "dialectical materialists," the chief distinguishing factor being the denial of the "conscious" element by the former; and his *In Defense of Materialism* (London, 1947). Plekhanov constitutes a "voluntaristic bridge" between the later views of Engels and those of Lenin.

¹⁹ See especially pp. 31-44; 105-6; 117-19.

²⁰ *What Is To Be Done?* pp. 43, 119.

²¹ Lenin, *Selected Works*, Vol. 9, p. 54.

²² Stalin, of course, ascribed the "theory of socialism in one country" to Lenin, but as his opponents were to point out, Lenin's position was ambiguous on this point. Cf. Stalin's *Problems of Leninism* (Moscow, 1947), pp. 156-66 and Lenin, *Selected Works*, Vol. 5, p. 141; Vol. 9, p. 403.

Stalin's Voluntarism: "Revolution from Above." "In order to transform the world," Stalin told an incredulous H. G. Wells in 1934, "it is necessary to have political power . . . as a lever of change." When Wells retorted that "perhaps I believe more strongly in the economic interpretation of politics than you do," Stalin accused him of "greatly underestimating the question of political power."²³ Certainly this is a sin to which Stalin could never plead guilty.

The first systematic articulation of Stalin's voluntarist views made its appearance in a short philosophical précis, *Dialectical and Historical Materialism*, written for inclusion in the new official *History of the Communist Party*, published in 1938.²⁴ Thus, a full year before his formal repudiation of the Marxist theory of the state, Stalin had already forged the first link in the chain of philosophical transmutations that were to support his new political formulae. This initial step took the form of placing greater emphasis on the role of ideas in shaping the historical process, that is, placing a greater emphasis on the voluntaristic factors in the Marxist-Leninist dogma, and conceptualizing this voluntaristic formula into a specific theory of controlled change, called "revolution from above."²⁵

In this work, Stalin still quoted with approval Marx's famous dictum on consciousness and existence, but this apparently was one of the "examples in the history of revisionism pretending agreement with the fundamental tenets of the teaching that is being revised," that Zhdanov was to warn the philosophers against a decade later.²⁶ Lip service was still accorded to the theme that the significance of social ideas does not lie in the ideas *per se*, "but in the conditions of the material life of society . . . of which these . . . are the reflections," although ideas are now elevated to a position clearly superior to that of mere catalytic agents.²⁷ "As regards the significance of social ideas, theories, views and political institutions," Stalin wrote, "historical materialism, far from denying them, stresses the role and importance of these factors in the life of society, in its history."²⁸ These social ideas arise, however, he continued:

only after the development of the material life of society has set new tasks for society. But once they have arisen they become a most potent force which facilitates the carrying out of the new tasks set by the material life of society, a force which facilitates the progress of society . . . because it is impossible to carry out the urgent tasks of development of the material life of society without their organizing, mobilizing, and transforming action.²⁹

²³ Stalin and H. G. Wells, *Marxism vs. Liberalism* (New York, 1934), pp. 14, 20.

²⁴ *History of the Communist Party of the Soviet Union* (New York, 1939). Hereinafter cited as *History*. This particular edition notes that it was "edited by a commission of the Central Committee of the C.P.S.U. (B)," whereas since 1946, with the inclusion of the entire book in Stalin's collected works [*Sochineniya*], complete authorship has been ascribed to Stalin. The section on Dialectical and Historical Materialism was from the beginning attributed to Stalin personally. However, the idea of "revolution from above" does not appear in this section. Since what was at first considered to be the work of collective anonymity has been converted, *mutatis mutandis*, into Holy Writ, the effort must be viewed as the integrated work of a single mind and is so treated here.

²⁵ *History*, p. 305.

²⁶ *History*, p. 115.

²⁷ A. Zhdanov, *Essays on Literature, Philosophy and Music* (New York, 1950), p. 82. Hereinafter cited as *Essays*.

²⁸ *History*, p. 116.

²⁹ *History*, pp. 116-17.

Human consciousness, however, takes a long leap forward during periods of revolutionary upheaval, when it actually, for a brief moment of history, assumes primacy over the objective laws of social existence; the conscious efforts of man replace the blind and inexorable laws of nature:

Out of the conflict between the new productive forces and the old relations of production . . . there arise new social ideas; these new ideas organize and mobilize the masses; the masses become welded into a new political army, and make use of it to abolish the old system of relations of production and finally establish the new system. The spontaneous process of development yields place to the conscious activity of man, peaceful development to violent upheaval, evolution to revolution.³⁰

These social ideas, theories, and political institutions, Stalin continued, "having arisen on the basis of the urgent tasks of the development of society, the development of social being, themselves react upon social being, upon the material life of society . . . rendering its further development possible."³¹ These conceptions were not mere abstractions for Stalin, but rather a rationalization for the socio-economic changes wrought by conscious political design during the preceding decade, a process which he captioned "revolution from above."

According to Stalinist dogma, the period of the so-called "second revolution" took place in 1930-1935, but at the time of the "revolution" itself there appeared no coherent theoretical justification, but merely the pragmatic insistence that the collectivization of agriculture and the liquidation of the kulaks were objective material prerequisites for a socialist society. In 1938, with the appearance of the *History*, it was determined *ex post facto* that what transpired was in essence a second revolution carried out "from above" and supported "from below."

This was a profound revolution, a leap from an old qualitative state of society to a new qualitative state, equivalent in its consequences to the revolution of October 1917. The distinguishing feature of this revolution is that it was accomplished from above, on the initiative of the state, and directly supported from below by the millions of peasants who were fighting to throw off kulak bondage and to live in freedom in the collective farms.³²

To assert the fact of a "revolution from above" is to confess that the external world can be forcibly adjusted to the ideas conceived in the brain of man. The fundamental nature of such a process can be comprehended only within the context of the social norms dominating those who exercise political power in the community and are in control of its organs of coercion and persuasion, and not by examining the alleged objective demands of the material forces of history. A revolution of this type cannot be analyzed within Marxist categories, because the Marxist conception of a revolution is rather precisely defined in terms of the shift of political power from one class to another.³³ No such shift

³⁰ *History*, p. 130.

³¹ *History*, p. 117.

³² *History*, p. 305.

³³ The impossibility of defining "revolutions from above" within Marxist categories is demonstrated by the following rationalization by Rudolph Schlesinger: "Action may be taken with the intention of changing the social framework (or, if some 'gradual' change in the existing framework has taken place, to adapt the institutional framework to the changed needs). Such action is usually described as a 'revolution' only if it originates from

took place in this instance, because the revolution was not an upheaval directed against the existing political power or the ruling class. It was, in fact, an act of the ruling class against a class already deprived of participation in political rule. It is true that ruling groups would hardly initiate "revolutions" of the classical Marxist vintage, since this would be a suicidal act leading to their own destruction as the dominant class in society.

For over twelve years, this so-called revolution remained only a quaint descriptive phrase, accepted perhaps largely in an allegorical sense without consideration of its profound philosophical implications. If the "revolution" referred merely to the action of the state in making its final assault against the last remnants of the old order as a prelude to its own disappearance, the idea would certainly conform to the Marxist-Leninist pattern. But, apparently, this was not the case. Not only did the state survive the final destruction of the exploiters, but it emerged in a qualitatively different form. Stalin clearly recognized this anomalous situation in 1950, when he amplified the theory of "revolution from above." It emerged as a system of "controlled revolution," something like controlled fission, because it is described as a revolution "without explosions," a phenomenon which can occur only in a society devoid of class antagonisms—a sociological application of the Hegelian-Marxist "law of the transformation of quantity into quality."

groups other than the ruling one, so that its success results in a change not only of institutions, but also of that ruling group. Marxism argues that ruling groups are characterized by their very place in economic structure and therefore are unlikely to initiate changes in the structure from which they profit. However, *we must allow ample space for possibilities of 'revolution from above' where such procedure provides the only chance for the ruling group to survive as such.*" (My italics.) *Marx, His Times and Ours* (New York, 1950), p. 6. Schlesinger's conception of 'revolution' becomes a tool for preserving the political *status quo*, rather than overturning it. This line of argument compels him to accept any reform taken by the existing political system to preserve itself, such as the "reforms from the top" carried out by the Tsars, and the overthrow of the Japanese Shogunate, to be "revolutions from above." While this conception may have validity, it is a non-Marxist one, and certainly is not the type of "revolution from above" defined by Soviet theorists, who maintain that revolutions of this nature can materialize only in a society divested of all class antagonisms. Furthermore, it should be noted that the Stalinist conception of "revolution from above" is not a mere amplification of the theories of "permanent" and "uninterrupted" revolution advanced by Trotsky and Lenin. Both revolutions visualized the state as an instrument of class rule and as a weapon in the hands of the masses against the exploiters. For Lenin, revolution was a sort of continuum, whereby "bourgeois-democratic" and "national-colonial" revolutions could be converted into proletarian upheavals, if the revolutionary momentum were maintained. Trotsky's theory of "permanent" revolution pertains to the use of the proletarian state to support revolutions in other countries. In both cases, the revolutions referred to are proletarian in nature and do not constitute a point of departure from which to rationalize fundamental socio-economic changes wrought by a state which does not represent class interests. The theories of Lenin and Trotsky are not incompatible with the view that it is the function of the new proletarian state to continue the economic revolution by eliminating the old classes and laying the foundations for a socialist society, but by doing this, the state prepares the conditions for its automatic abolition, whereas for Stalin, once socialism is achieved the state enters into a higher phase of development.

The law of transition from the old to the new quality by way of explosion does not . . . always apply to . . . social phenomena related to the foundation or the superstructure. It is obligatory for a society divided into antagonistic classes. But it is not at all obligatory for a society which has no antagonistic classes. In the course of 8-10 years we effected in the agriculture of our country a transition from the bourgeois individual peasant system to the socialist collective farm system. . . . However, this upheaval took place not by way of explosion, that is, not by the overthrow of the existing power and the establishment of a new power, but by means of gradual transition from the old bourgeois system . . . And it was possible to do so because this was a revolution from above, an upheaval carried out on the initiative of the existing power with the support of the bulk of the peasantry.³⁴

The full significance of this dialectical excursus is discussed below,³⁵ but a few words are in order here. According to this idea of revolution, the economic substructure of society can be overturned without demolishing the political superstructure which is its mere reflection. The superstructure, therefore, is controlled by man, not by objective history, for it can alter its own foundation without threatening its own immediate survival and that of its ruling element. Hence the state is emancipated from its dependence upon the economic system and its existence is no longer at the mercy of external objective laws. The theory is logically inconsistent, since this so-called "revolution from above" can take place only in a society bereft of class antagonisms; yet it is incontestable that the first "revolution" of this type was undertaken to eliminate class distinctions and antagonisms and hence preceded their eradication. Thus what Stalin lays down as a *conditio sine qua non* for this "revolution" was, in fact, a consequence of it. This is blandly admitted by the Soviet ideologist, B. Kedrov, in his commentary on Stalin's "brilliant thesis." "Through the collectivization of agriculture," he writes, "the kulaks were also eliminated as a class, that is, the antagonistic contradictions within society were overcome."³⁶ The question of why no "explosion" occurred, if the theory is applicable only in a society unencumbered with class struggles, is conveniently ignored.

Although the theory of "controlled revolution" is an inaccurate conceptualization of the past action, resting as it does upon distorted, falsified, or fabricated history, it is designed as a philosophical rationalization not so much of the past as of the future. The revolution from above is the concrete manifestation of the voluntaristic nature of modern Soviet philosophy and represents the supremacy of will over fact, consciousness over existence, and politics over economics. This theory is designed to rationalize all future changes in Soviet society and justifies the imposition of social norms conceived by the ruling elite upon society and its members as a means for solidifying its power structure, perpetuating its rule in the face of internal and external adversities, and main-

³⁴ Stalin, "Concerning Marxism in Linguistics," *Pravda*, June 20, 1950. For an English translation, see the booklet of the same title published in London by Soviet News in 1950. All citations will refer to the booklet, although the translations in this article may deviate in some particulars, since the rendering in the booklet appears to the author to be awkward and irregular in some instances.

³⁵ See *infra*, pp. 1047-51.

³⁶ B. Kedrov, "On Forms of Leaps in the Development of Nature and Society," *Bolshevik* (No. 15), pp. 8-20 (Aug., 1951).

taining the necessary autocratic centralization and ideological infallibility which the self-imposed universal messianic purpose of the Soviet Union makes mandatory. The dialectic is thus employed to put a halt to all further revolutions in the Soviet Union, except those officially inspired, by declaring them "scientifically" impossible, or ideologically illegitimate.

From Necessity to Freedom: Motive Forces in a Socialist-Communist Society. Stalin's theory of the "revolution from above" and his assertion that the Soviet state functioned to preserve the harmonious social order and guarantee its evolution to communism signified the first stages in the final abdication of objective determinism in favor of subjective voluntarism. Actually, as pointed out earlier, Marx's dynamic equilibrium between these two aspects of his system permitted this transition to be made, but only within the context of a millennial society in which man leaps from the clutches of necessity into the sphere of freedom; where man transforms nature from stubborn master into willing slave. For Marx and Engels what impeded man's progress to the promised land was the state, which would first have to be expunged from society;³⁷ for Stalin on the other hand, the state becomes the key to the earthly paradise.

Progress in the evolution of systematic theoretical reconstruction was impeded after 1939 due to the war, when the international situation forced Stalin to dispense with the luxury of theorizing in favor of more pressing practical problems. After the war, the tremendous lacunae in Soviet theory again became an object of serious attention. The task of systematizing Stalin's crude theoretical statements into a coherent body of philosophy, free from logical inconsistencies and unprofessional crudities, was assigned to the philosophers. Since Marxism is conspicuous for the gap that it registers in the realm of normative political theory, its political categories constituting a critical analysis of historical states in general and bourgeois states in particular, Soviet philosophers were afforded only a minimum of guidance. Marx did not provide a theory of the socialist or communist state, and neither did Lenin, precisely because they were political nihilists in their ultimate teleology, repudiating the state as a morally incompatible and superfluous, if not objectively impossible, institution in their apocalyptic vision of a classless society. Freedom was possible only without the state. This is why Soviet ideology registered a vacuum in

³⁷ Engels' view is stated with unambiguous clarity in *The Anti-Duehring* (pp. 309-10): "The conditions of existence forming man's environment, which up to now have dominated man, at this point [i.e., after the state withers away] pass under the dominion and control of man, who now for the first time becomes the real conscious master of Nature, because and in so far as his own social activity, which has hitherto confronted him as external, dominating laws of Nature, will then be applied by man with complete understanding and hence will be dominated by man. . . . The objective, external forces which have hitherto dominated history, will then pass under the control of men themselves. It is only from this point that men, with full consciousness, will fashion their own history; it is only from this point that men will have, predominantly and in constantly increasing measure, the effects willed by men. It is humanity's leap from the realm of necessity into the realm of freedom."

the area of political theory while the mightiest leviathan in all history was bearing down upon society like a nightmare.

The failure of the state to wither away left the philosophers the single alternative of justifying it as the central institution of progress and freedom. Engels' idyllic stateless society was to be symbolized by the Soviet state. In effect, it was their task to unravel the three dialectical riddles bequeathed to them by Stalin as a result of his pronouncements on the state at the 18th Party Congress.

The reluctance of the philosophers to demonstrate initiative in this direction prompted Andrei Zhdanov to excoriate them for their intellectual cowardice at the famous Party Conference on Philosophy convened in June, 1947. He called on them "to advance more courageously the theory of Soviet society, of the Soviet state,"³⁸ specifically commissioning the philosophers to discover the elusive dialectical law motivating progress in Soviet society:

Since, as the dialectic teaches us, the inner content of the process of development is the struggle of opposites, the struggle between the old and the new, between the dying and the rising, between the decaying and the developing, our Soviet philosophy must show how that law of dialectics operates in socialist society and what are the specific characteristics of its operation. We know that in a society divided into classes that law operates otherwise than in our Soviet society. Here is a broad field for investigation and none of our philosophers have cultivated that field.³⁹

The philosophers were confronted with no ordinary challenge. The nature of the motive force that was to replace the class struggle in human history constitutes one of the most enigmatic omissions in the Marxist philosophy. Since the logic of the dialectic dictates that it must constantly derive its propulsive force from the contradictory impulses inherently operating in nature, the expiration of the class struggle, contrary to widespread impression, does not signify that the Marxist dialectic spins its final contradiction. The dialectic is conceived as an eternal movement, an absolute abstraction independent of substance, whose inner laws dictate that contradictions are transmuted into higher forms once the class struggle ends.⁴⁰ Marx was consistent in deliberately refusing to predict future forms of contradiction since it would be undialectical and in direct opposition to his materialistic epistemology to conceptualize historical laws before their material foundations had become manifest.

The cautious Soviet philosophers—perhaps well aware of the fundamental nature of the revisionism involved—were content to dig out of their libraries old and faded slogans uttered by Stalin in the past in the desperate hope that they could accidentally trip upon some forgotten platitude and consecrate it into a new dialectical law. This, at any rate, was the impression they received from Zhdanov, who pompously told them that the motive force of Soviet society was the shopworn cliché, criticism and self-criticism:

Our Party long ago discovered . . . that particular form of revealing and overcoming the contradictions of socialist society (such contradictions of socialist society exist and

³⁸ Zhdanov, *Essays*, p. 71.

³⁹ *Ibid.*

⁴⁰ See Marx, *Poverty of Philosophy* (New York, n.d.), p. 93 and *Selected Works*, Vol. 1, pp. 421-22.

philosophy cannot avoid dealing with them). . . . In our Soviet society, where antagonistic classes have been liquidated, the struggle between the old and the new, and consequently the development from the lower to the higher, proceeds not in the form of struggle between antagonistic classes and cataclysms, as is the case under capitalism, but in the form of criticism and self-criticism, which is the real motive force of our development. . . . This is incontestably a new aspect of movement, a new type of development, a new dialectical law.⁴¹

The philosophers unearthed such startling motive forces as socialist competition, unity, amity of nations, Soviet patriotism, public interest, and peace. These substitutes, however, appeared to be clearly inadequate, since most of them did not even meet the canon of contradiction. What was mandatory was a single great motive force, as transcendent in its cosmic simplicity as the class struggle, but as harmonious and integrative in its exfoliation as the class struggle is cataclysmic and disintegrative. The character of its operation necessitated that it be grand enough in its conception to establish the relationship between state and society; analytic enough to rationalize the existing *status quo*, and yet sufficiently dynamic in its normative aspects to allow future alterations in policy; and pragmatic and flexible enough in its application to be adaptable to all tactical situations.

From Utopia to Ideology: The Supremacy of Social Consciousness over Social Being. One immediate result of Zhdanov's criticism was the publication, in the following year, of the symposium, *O Sovetskom Sotsialisticheskom Obshchestve* [On Soviet Socialist Society], edited by philosophers Konstantinov, Kammari, and Glezerman.⁴² Containing contributions by the leading philosophical lights

⁴¹ Zhdanov, *Essays*, pp. 71-72. All Soviet writers now stress the dichotomy between "antagonistic" contradictions and "non-antagonistic." It is claimed that under Socialism contradictions are of the latter variety because the state is able to foresee developing contradictions and intervene so as to mitigate them and bring them into harmonious synthesis. "The Marxist dialectic recognizes two fundamental types of contradictions: antagonistic and non-antagonistic contradictions. Antagonistic contradictions are by their nature insoluble within the framework of the existing old quality; they can be solved only by the annihilation (overthrow, destruction) of the old, which is the foundation of one of the elements of the contradiction. Here the annihilation of the old begins with an explosion. Consequently, the explosion is the peculiar and typical form of the solution of antagonistic contradictions. . . . Non-antagonistic contradictions are of a fundamentally different character; they are perfectly soluble within the framework of the existing quality, and the solution can take place in a planned and organized manner by the gradual replacing of elements of the old quality with elements of the new. . . . In such cases there is no necessity whatsoever for an explosion." Kedrov, *op. cit.*, pp. 8-20. "Contradictions of capitalism are contradictions leading to its doom, are *catastrophic* contradictions. . . . All contradictions . . . in Soviet society are contradictions of growth, of progress." P. F. Yudin, *The Prime Source of the Development of Soviet Society* (Moscow, 1949), pp. 30-33; see also pp. 34-41.

⁴² Published in Moscow, 1948. The more significant and relevant of the contributions are the following: F. V. Konstantinov, *The Role of Socialist Consciousness in the Development of Soviet Society*; P. F. Yudin, *The Prime Source of the Development of Soviet Society*; M. B. Mitin, *Soviet Democracy and Bourgeois Democracy*; M. D. Kammari, *Socialism and the Individual*; Ts. Stepanyan, *On the Conditions and the Ways of the Transition from Socialism to Communism*. Some of these works are available in English translation as pamphlets. Wherever possible, citations will be made to the translations.

of the Soviet Union, this collection of panegyrics painted Soviet society in such succulent fashion that its editors were later reprimanded for conveniently glossing over the contradictions in the Soviet Union instead of discovering and unraveling them.

Perhaps the most germane and seminal contribution to this symposium was that made by Konstantinov, entitled *The Role of Socialist Consciousness in the Development of Soviet Society*. His contribution is especially relevant because it not only represents a further development of Stalin's views in the *History*, but also adumbrates some of the central themes that Stalin was to pronounce *ex cathedra* two years later. In this work, four pertinent points are made: (1) Marxism-Leninism in the Soviet Union has been converted from a revolutionary-disintegrative doctrine into a rationalizing-integrative system, or, to use the special terminology of Karl Mannheim, has made the transition from utopia to ideology; (2) this transmutation of Marxism-Leninism has made it into the highest form of social consciousness in Soviet society, where the forces of nature have been completely subordinated to the will of man; (3) dialectical progress is motivated by the continuous interaction between mass social consciousness and the economic structure of society; and (4) in a society without class antagonisms, the social consciousness of the masses is monolithically expressed in its collective capacity by the Communist party and its leadership.

The conversion of Marxism-Leninism from utopian to ideological categories is possible because of the dual characteristic of Marxism as a theory of both analysis and action:

From the very outset, Marxism-Leninism set itself the task of not simply interpreting the world . . . but of showing how, by means of these laws, it is possible to abolish capitalism and build a new, communist society. . . . In the course of applying this theory to the revolutionary transformation of society, its role changes with the changes in the character of the social system. . . . Under capitalism, Marxism-Leninism is the ideology of the oppressed, exploited class, the class that is spiritually down-trodden by the bourgeoisie. . . . In socialist society, the ideas of Marxism-Leninism are the ruling ideas; Marxism-Leninism is the theoretical weapon of the Party that guides the Soviet state, the whole of socialist society. . . . Hence Marxism-Leninism directly influences the whole course of social life, because under socialism, the ideas of Marxism-Leninism are backed by the entire might . . . of the Socialist state and of the Communist Party. . . . Embodied in life, materialized in the new social system, the ideas of Marxism-Leninism, of Socialism, become a still more mighty motive force of social development.⁴³

From a transcendental social theory which seeks to overturn the bourgeois social order, Marxism-Leninism passes to a social theory which explains and justifies the new social system, yet sedulously provides for its own future retransmutation as the existing order (socialism) gives way to a still higher one (communism) by means of orderly evolutionary development along a path illuminated by the Communist party and the state.

The orderly progression to communism is possible because in a society devoid of class conflict the consciousness of the masses is a monolithic whole in its com-

⁴³ Konstantinov, *The Role of Socialist Consciousness in the Development of Soviet Society* (Moscow, 1949), pp. 7-9.

prehension of the laws of the dialectic. Under capitalism, society is governed by blindly operating objective social laws which are oblivious to the will of man except for short and spectacular periods of revolutionary upheaval, when for brief moments in the eternity of history the social consciousness of the masses asserts itself and supplants the objective laws of history in the dialectical movement. Under socialism, however, social consciousness becomes solidified under the leadership of the Communist party and emerges as the dominant force in the historical movement:

In the development of socialist society, however, consciousness plays a different role from that which it played in all the forms of society that preceded Socialism. Under Socialism, the role of consciousness in social life not only grows quantitatively; it also acquires a different quality; the very relation between spontaneity and consciousness in historical development undergoes a radical change. . . . In the past, it was only for short periods, i.e., in periods of revolution, that the spontaneous development of society gave way to the conscious action of the masses who were making their own history. It was only with the victory of the socialist revolution that the conscious actions of millions of working people acquired decisive importance in social life, in the development of society. . . . Under Socialism, for the first time in history, the most progressive consciousness, i.e., socialist consciousness . . . achieved a decisive victory over spontaneity in social life, subordinated the operation of social laws to their power. This was a great leap out of the realm of blind necessity into the realm of freedom. The history of mankind has no record of anything more magnificent.⁴⁴

Although Konstantinov attempts to remain consistent with the sociological determinism of Marx by insisting that social consciousness in the Soviet Union is a reflection of its socialist environment, he also asserts that this same environment was brought about by the social will of the masses, apparently at a time when it reflected a pre-socialist society. This dilemma is never satisfactorily resolved and the basic conundrum as to what comes first, social will or social fact, is subsumed in a cloud of dialectical obfuscation.⁴⁵

Thus, according to this conception of the dialectical movement, there exists at any particular time in Soviet society a harmonious contradiction between the economic productive forces and the needs and requirements of the Soviet masses. The latter spawn a consciousness on the basis of these needs which reacts upon the economic structure of society, causing it to change and thereby altering the entire superstructure, including Marxist-Leninist doctrine. Dialectical interaction between the economic forces of Soviet society and its superstructure of social and political ideas is sufficient to propel society along the

⁴⁴ *Ibid.*, pp. 27-28.

⁴⁵ "In order fundamentally to change the old views, ethics, habits and customs . . . it was necessary to change the material conditions of life of the masses . . . to remold them on the basis of socialism, because the material conditions of life mold social consciousness. And in order fundamentally to change the material conditions of life on a socialist basis it was necessary that the masses should display . . . a high level of socialist consciousness. It looked as though an insoluble contradiction, a vicious circle had arisen. Various phillistines and utopians did actually think that it was an insoluble contradiction. . . . Historically, the contradiction . . . was solved in the course of the socialist revolution." *Ibid.*, pp. 48-49. This is hardly an explanation, much less a solution, but merely an assertion.

road of everlasting progress, but not explosive enough to rip society asunder with every qualitative change. This interaction becomes the mainspring of the dialectical movement and emerges as Konstantinov's implicit surrogate for the class struggle in the Soviet Union. The dialectical duel between these two forces constitutes an unending process of mutual transformation in the crucible of dialectical fission and fusion.

"The *socialist consciousness of the Soviet people*," Konstantinov informs us, is not spontaneous, but "*is moulded under the guidance of the Communist Party on the basis of its scientific world outlook.*"⁴⁶ The relationship between the party and the masses is one not of rule, but of leadership; as the advanced detachment of the masses, the party, because of its scientific competence, manifests the will of the masses in its monolithic purity with cerebral precision:

The political and ideological inspirer, the organizer and leader of the conscious building of the new society is the Communist Party, which is armed with the theory of Marxism-Leninism. . . . Socialism . . . requires the wills of millions to be united into a single, conscious will directed towards the achievement of a single great aim—communism. And this singleness of will for the building of socialism can be achieved only on the basis of the great socialist consciousness of the masses. . . . This singleness of will of millions can be and is being secured only under the authoritative and tried leadership of the Communist Party . . . by virtue of its knowledge of the laws governing the building of Communism.⁴⁷

Konstantinov, however, carefully avoided a full integration of the state in Soviet social theory, substituting for it the collective anonymity of the party, and assigning to the state primarily indoctrination functions. His version of a conscious unified and distinct collective will, superior to the will of the individual, is reminiscent of Rousseau and Hegel, although the theory of the "general will" was repudiated at one time by Vyshinsky.⁴⁸ Apparently, the full integration of the Soviet state in the basic philosophy of Marxism-Leninism required the personal intervention of the Georgian oracle.

⁴⁶ *Ibid.*, p. 67.

⁴⁷ *Ibid.*, p. 35. The Communist party is described as "being the most advanced and most politically conscious section of the Soviet people." *Ibid.*, p. 95. See also M. B. Mitin, *op. cit.*, pp. 43, 45-56; M. D. Kammari, *op. cit.*, p. 44. According to Yudin: "The Soviet state is the principal instrument through which the Communist Party . . . directs society's entire development. . . . The planned guidance of the country's entire economic development by the Soviet State is an historical necessity. . . . This is a fully objective law of the development of Soviet society." *The Prime Source*, pp. 20-22.

⁴⁸ See A. Y. Vyshinsky, *The Law of the Soviet State* (New York, 1948), p. 169, where he expostulates: "In conditions of capitalism the so-called 'general will,' which Rousseau advanced as the basic motive power of the democratic state, remains and cannot but remain—a fiction." On the other hand, "The victory of socialism . . . signalizes . . . the will of the entire Soviet people. Speaking of will in the social or political sense, we have in view neither the mechanical 'sum total of wills' of separate persons, nor the mythical 'national will.' . . . Following the Marx-Lenin doctrine, we have in mind the will of social classes. . . . In the Soviet Socialist state the single will of the people is the single will of all the peoples of the U.S.S.R. . . . Soviet authority in the U.S.S.R. . . . expresses and realizes the will of the entire multinational single people." *Ibid.*, pp. 171-72.

IV. THE RECONSTRUCTION OF SOVIET POLITICAL THEORY:
THE EPOCH OF STATE WORSHIP

"The Soviet concept," writes John Somerville, "far from representing the state as the locus of all human and spiritual values, actually regards it as a kind of necessary evil."⁴⁹ The idea that the Soviet state is an evil of any variety, eternal or ephemeral, was already unfashionable in 1930, when the leader of the cult of state hatred in the Soviet Union, Nicolai Bukharin, was ideologically decapitated by Stalin.⁵⁰ Since then, Vyshinsky has branded all state haters as "unprincipled traitors and doubledealers."⁵¹ The Soviet state in contemporary Soviet thought is venerated as a positive and constructive force whose creative mission it is to produce the environmental influences which will spawn and preserve the human and spiritual values of future Soviet man. "The Soviet state," according to *Uchitelskaya Gazeta*, "is the force which engenders in the masses the standards of Communist morality."⁵² Since the ethical purpose of the state is to fulfill the scientific prediction of a communist society, the state has become the hub around which revolve all human and spiritual values in the Soviet land.

In the Soviet Union, professional philosophers, no matter how articulate, are not important enough to alter the basic scriptures of the Marxist-Leninist dogma. Only the High Priest of Soviet communism can perform this function, although he is free to appropriate and adapt for his own purposes the intellectual ruminations of his scholastic minions and convert them into Holy Writ. By 1950, the philosophers had performed their task of preliminary exploration and Stalin felt that the time had come to tie together the loose threads of his pontifical utterances on the state and on dialectical and historical materialism. An opportunity was provided by a so-called "crisis" in linguistics, when the difficulties that plagued philologists in their scholastic endeavors to adjust the theory of language to Marxist epistemology gave rise to awkward irregularities.

Is language part of the "base" or "superstructure" of society? This was the worldshaking question that Stalin was called upon to answer. In the process of answering it, he delivered a series of *obiter dicta* on the state and the more basic

⁴⁹ John Somerville, *Soviet Philosophy* (New York, 1947), p. 79.

⁵⁰ Bukharin was the ideological leader of an important group of Soviet intellectuals and jurists, who in the years immediately preceding the 16th Party Congress (1930) were preparing for the imminent "withering away" of the state. It was Bukharin's contention that in order to guarantee the state's oblivion, the working class should cultivate an attitude of hostility against all states, in principle, including the Soviet, because of the "wholesale exaltation of the bourgeois state by the Social Democrats" had insinuated itself into the psychology of the proletariat. It was apparently Bukharin's fear that exaltation of even the Soviet state might be enough to perpetuate it. Cf. Stalin, *Leninism: Selected Writings*, pp. 115-22.

⁵¹ Vyshinsky, *The Teachings of Lenin and Stalin* (cited in note 1), p. 115.

⁵² "Bourgeois Morality and Communist Morality," *Uchitelskaya Gazeta* (No. 43), p. 4 (Sept. 14, 1946). See also "The Role of Soviet Law in the Education of Communist Consciousness," *Bolshevik* (No. 4), 1947, p. 4.

aspects of Marxist philosophy. In his collected Socratisms, entitled *Concerning Marxism in Linguistics*, Stalin proceeded to demolish the materialistic pillar supporting Marxism and unleashed an avalanche of voluntaristic ideas into Soviet philosophy. Three basic revisions were made in Marxist philosophy: (1) the Marxist epistemological formula was formally inverted, so that social existence was subordinated to social consciousness and the economic "base" was left at the mercy of its political "superstructure"; (2) the state was re-defined outside orthodox Marxist categories, and the Hegelian concept of the state as the expression of the coordinated interests of society as a whole, rather than of a single class, was resurrected; and (3) the dialectical process was reformulated as expressing harmonious conflict between the base and superstructure of society and as manifested through a series of "revolutions from above." In effect, Stalin removed thesis and antithesis from the famous triad, leaving Soviet philosophy in a condition of permanent synthesis.

Base and Superstructure: The Triumph of Voluntarism. Language, Stalin told his philologists, is part of neither the "base," "superstructure," nor any mythical "intermediate" category of society, but is a tool which "serves society as a means of intercourse between people . . . as a means of enabling people to understand each other."⁵³ It is independent of class distinctions and transcends them. Up to this time it had been accepted by Soviet philosophers that all social phenomena represented either base or superstructure. Stalin thus abandoned Marx's sociological epistemology by recognizing elements in society which cut across classes, uniting rather than dividing them. Aside from providing a convenient rationale for justifying Russian as the language of socialism, this observation was significant in that the new Soviet state was also viewed as independent of class distinctions, representing society in its integrated capacity rather than manifesting the rule of a single class.

The base, according to Stalin in this theoretical statement, "is the economic system of society at a given stage in its development," whereas "the superstructure is the political, legal, religious, artistic, philosophical views of society and the corresponding political, legal, and other institutions."⁵⁴ Each economic foundation has its corresponding superstructure, and both are ephemeral in nature in any particular form, varying in their content in accordance with the dialectical rhythm. "The superstructure," he declared, "is the product of a single epoch, in the course of which a given economic foundation lives and functions" and "consequently, the superstructure is not of long duration; it is destroyed and vanishes with the destruction and disappearance of that given foundation."⁵⁵ To support this canon of the historical dialectic, Stalin cited the Russian Revolution as an example of how a political superstructure crumbled in ruins upon the destruction of the old capitalist mode of production. By re-

⁵³ Stalin, *Marxism and Linguistics*, p. 5. "Language . . . was created not by any one class, but by the whole of society, by all the classes of society, by the efforts of hundreds of generations. It was created for the satisfaction of the needs not of one class, but of the whole of society, of all classes of society." *Ibid.*

⁵⁴ *Ibid.*, p. 3.

⁵⁵ *Ibid.*

writing history and re-shuffling the actual sequence of events, adjusting facts to theory, Stalin was able to say:

During the past thirty years in Russia, the old capitalist foundation was abolished and a new socialist foundation erected. Accordingly, the superstructure of the capitalist base was abolished and a new superstructure corresponding to the socialist base was created.⁵⁶

Orthodox Marxism teaches—and presumably the old categories are still considered valid for the pre-socialist Soviet society—that the internal contradictions of capitalism lead inevitably to its doom, but only after the social relations of production come into collision with the imperatives of technological change and productive efficiency. This did not happen in Russia; rather, the elevation of a new political power preceded the new economic complex, destroying it and replacing it with a new one. As a matter of fact, this was at one time Stalin's principal justification for arbitrary state power. Only after the consolidation of a new political superstructure (the dictatorship of the proletariat), was the economic base altered from the old forms to socialism. This observation is pertinent because the Stalinist conception of a superstructure with the capacity to reconstruct its own foundations, without bringing about its collapse, applies only in a society without class antagonisms. Stalin's entire dialectical scheme hinges on this qualitative transformation of the state, since this type of state presumably is dialectically impossible under capitalism.

Thus Stalin is reluctant to admit the supremacy of politics over economics in bourgeois societies, but asserts it as a dominant phenomenon in socialist society. The new socialist superstructure, a species *de novo*, plays a positive and creative role in societal development, and, in fact, determines its direction and growth. Unlike the bourgeois superstructure, which becomes the prison of its own economic system, because the interests of the ruling class conflict with the imperative of maximum productive efficiency, the new socialist superstructure cannot come into antagonistic conflict with its foundation because the expiration of the class struggle has removed all constrictive social relationships dedicated to the perpetuation of the old order:

The superstructure in a socialist society differs radically from all others. Whereas in an exploitative society the superstructure serves the interests of the exploiting classes, the superstructure in a socialist society serves the interests of the working people by means of entirely new political, legal, philosophic and other ideas and theories and correspondingly creates for society completely new political, legal and other institutions.⁵⁷

It is unnecessary to outline in detail Stalin's differences with Marx and Lenin on the conception of the superstructure, since Stalin claims to be analyzing a state *sui generis*. At the risk of being dogmatic, it should be pointed out that Marx and Lenin held that all superstructures, including the dictatorship of the proletariat, reflected class interests and not the interests of all society. Lenin visualized the proletarian state as the supreme coercive instrument of the masses in their struggle to extirpate the exploiters and as a tool for laying the

⁵⁶ *Ibid.*

⁵⁷ "Concerning Base and Superstructure," an unsigned commentary in *Pravda*, Oct. 5, 1950.

foundations of socialism. The state was necessary as long as even a small residual element of the old ruling class was still thriving. But Stalin's superstructure reflects the interests of all classes in Soviet society because "in socialist society, where public ownership is the basic form, these relationships become relationships of friendly cooperation of all strata of society, workers, peasants and intelligentsia."⁵⁸ No ruling class exists, no class antagonisms flourish, although distinctions persist. Since the state is preserved, it cannot but represent society as an integrated entity. Lenin, however, was never confronted with the theoretical problem of a state surviving in a society bereft of class conflict, and standing as an institution expressing the total will of society, because he considered this to be an impossibility. Like Engels, Lenin adhered to the orthodox view that "when ultimately it [the state] becomes really representative of society as a whole, it makes itself superfluous."⁵⁹

"The Superstructure," writes Stalin, "having emerged . . . becomes a great active force, actively helping its foundation to take shape and gain strength, takes all measures in order to help the new system finish off and destroy the old foundation and the old classes."⁶⁰ Here enters the process of "revolution from above," which is explained by the Soviet dialectician, B. Kedrov:

The question of the relationship of the existing state regime to the revolutionary upheaval taking place in the country is a question of whether this regime is an obstacle to the birth of the new order (as is the case in the rule of the bourgeoisie) or whether, on the contrary, this regime itself carries out the upheaval from above with the support of the masses (as is the case in the Soviet order). . . . The socialist revolution begins with an explosion, with the overthrow of the old regime. But when the new revolutionary regime, the dictatorship of the proletariat, has been established, it prepares further revolutionary changes in a planned manner. . . . It is thus that in our country there were prepared and carried out such revolutionary leaps as the industrialization of the country and the collectivization of agriculture.⁶¹

Future progress, according to Kedrov, will continue to take place in the form of a series of "revolutions from above," carried out by the state:

The gradual transition from socialism to communism represents a gigantic historical leap in the development of society which occurs gradually and contains a whole series of leaps in different spheres of social life. . . . All these leaps . . . take place gradually because they are put through from above . . . by the Soviet power with the support and initiative of the whole people from below.⁶²

The mainspring of dialectical progress in the Soviet Union, according to Stalin, is the mutual interaction between the political superstructure and the economic base. The state manifests the collective consciousness of society as a whole in its impact upon the base. As it transforms the economic foundations of society in conformity with the will of the masses, it undergoes a transformation itself, and is again ready to introduce new economic changes in response to further needs of society. This interaction is continuous:

⁵⁸ *Ibid.* ⁵⁹ Engels, *Anti-Duehring*, p. 306.

⁶⁰ *Marxism and Linguistics*, p. 4.

⁶¹ Kedrov, "On Leaps" (cited in note 36), pp. 8-20.

⁶² *Ibid.*

Comrade Stalin has pointed out that in our country a new base and superstructure have replaced the old. The superstructure which corresponds to the socialist base is primarily the mighty Soviet state in its final form. The Soviet state helps destroy the old base; in doing so, the state itself undergoes substantial changes and becomes a constantly improved tool for building communist society. This dialectic of the development of the state has found expression in the Stalin constitution and Stalin's teaching concerning the stage of development and the functions of the Soviet state.⁶³

Thus it was that Stalin's discourses on linguistics closed the principal gaps in contemporary Soviet political theory. The dependence of the Soviet state for its existence on capitalist encirclement gave way to a more philosophical rationale. The moral problem of the state, i.e., as the supreme embodiment of repression, was solved by shearing away its oppressive qualities and assigning to it purely creative and constructive functions, transforming it into a *summum bonum*.

Stalin's new theory of the state resulted in the abdication of the materialistic conception of history and Soviet theoreticians interpreted it as such. Commentaries on Stalin's "brilliant thesis" flooded newspapers and periodicals. For all Soviet philosophers, the epoch of state-worship was officially given holy sanction. The state became the prime mover, the guide, the inspirer, the agent of dialectical progress; it was "all powerful"; it could "do anything." It had to be protected like the apple of one's eye, constantly strengthened and allowed greater freedom for expansion. Thus, Stepanyan wrote that "as the economic foundation of a communist society develops, the activity of the Soviet state in economic organization and cultural indoctrination will constantly expand."⁶⁴

Retreat from Voluntarism? Commentaries on Stalin's disquisition on linguistics apparently got out of control, for, in October, 1952, Stalin issued his *Economic Problems of Socialism*, in which he charged Soviet intellectuals with perverting his conception of the role and capabilities of the Soviet state and drawing unwarranted inferences concerning dialectical and historical materialism. Especially did he denounce those who held that the Soviet state was capable of "creating," "shaping," or "abolishing" the objective laws of political economy:

Certain comrades deny the objective character of the laws of science, especially laws of political economy under socialism. They deny that the laws of political economy express conformity with the laws of processes carried out independently of the will of the people. They consider that, in view of the special role granted by history to the Soviet state, the Soviet state and its leaders can repeal existing laws of political economy, can "shape" new laws, "create" new laws. These comrades are deeply mistaken.⁶⁵

Although the formula "on reforming laws has long been in circulation here," he

⁶³ Ts. Stepanyan, "On the Organization of the Soviet State in Economic Organization and in Cultural Education," *Izvestiya*, Aug. 3, 1950. Cf. G. Glezerman, "Base and Superstructure," *Bolshevik* (No. 18), Sept., 1950. An English translation can be found in *Communist Review* (theoretical journal of the British Communist party), Jan., 1951.

⁶⁴ Stepanyan, *op. cit.*; cf. also Stepanyan, "From Socialism to Communism," *Komsomolskaya Pravda*, Oct. 16, 1952 and G. Glezerman, "The Socialist State—Mighty Instrumentality for Building Communism," *Izvestiya*, Oct. 12, 1952.

⁶⁵ Stalin, *Economic Problems of Socialism in the U.S.S.R.* Citations are from the translation published in the *New York Times*, Oct. 4, 1952.

admitted, "we must renounce it in the interests of exactitude." It was possible, he said, to "limit the sphere of action of some or another economic laws," and one can even prevent "their ruinous action," but it is impossible to destroy them.⁶⁶ Some writers, pursuing Stalin's logic, concluded that the possibility of conflict between productive forces and productive relations in Soviet society did not exist. This view Stalin condemned:

Comrade Yaroshenko is mistaken in affirming that under socialism there is no conflict between productive relations and productive forces in society. Of course, our present productive relations are going through that period when they, in full correspondence to the growth of productive forces, are moving forward in seven-league strides. But it would be incorrect to grow complacent about this and think that there do not exist any conflicts between our productive forces and productive relations. Conflicts unconditionally do exist, and will, in as much as the development of productive relations is behind and will be behind the development of productive forces. . . . Therefore the task of the leading organs consists in noting in good time growing contradictions and taking measures in time to overcome them by means of adoption of productive relations to the growth of productive forces.⁶⁷

Stalin's assertion that the Soviet state can neither create nor destroy objective laws of political economy or historical development is not a fundamental change from the position he adopted in 1950, although, on the surface, the two positions appear contradictory. Nor are the views expressed by Soviet philosophers, whom he condemned for distorting his views, essentially in conflict with his. Stalin's insistence that the state cannot create or abolish laws at will is a pure technicality, for he does not deny that the state can abolish and create the economic conditions which give rise or decay to these laws. Thus, by direction and manipulation of the economic foundations of society, the state, in effect, does create and abolish laws of political economy, for these "laws" are nothing but the abstract generalizations of the handiwork of the state. Stalin's distinction is without substantial difference; it appears mainly as a formal attempt to remain within the Marxist materialistic philosophy.

His attack, however, served an important policy function, for it was really aimed at those writers who had so vulgarized his propositions as to commit the Soviet state to satisfying the immediate and voracious economic needs of the people, and at the notion that the entire economic system could be operated on a "push-button" basis and be converted into a cornucopia overnight. His theory was meant to be viewed in long range perspective, as meaning only that eventually the state could freely direct and manipulate the economy of the country so as to meet the demands of the people. What Stalin laid down as a theory, the propagandists tried to convert into an immediate policy. His intellectual myrmidons were portraying the capabilities of the Soviet state in such rosy terms that the vast difference between promise and actuality could prove embarrassing, and even threatening, to the regime. Stalin remains the chief culprit in this drama, however, for his transmutation of Soviet ideology into a voluntaristic system will continue to breed unwarranted optimism, and periodical attempts will continue to be made to stem the tide.

⁶⁶ *Ibid.*

⁶⁷ *Ibid.*

As a result of Stalin's criticisms, writers heaped abuse upon one another and fingers of accusation were pointed all around. Writers who preached the supremacy of social consciousness over social existence were accused of perverting materialism into an idealist system. Thus P. F. Yudin, himself a sinner, indignantly denounced his colleagues for their mistakes:

These scientific workers began to argue thus: since the anarchy of production and competition have disappeared as laws of social development, since the spontaneous character of social life was replaced by the planned development of the economy while the role of the organs leading society—the Party, the state—increased in great extent, society in the person of the state is, therefore, capable of organizing the economic life according to its will, without considering the objective laws of economic development. The strengthening of the opposite reaction of the superstructure on the base in the conditions of socialism, served many of the scholars as an excuse to regard the economic-organizational activity of the state as the source, as the primary reason for economic development; and they started considering the economic development of society, i.e., the primary, material basis of the life of society, as secondary, as completely dependent upon the will of the state. Comrade Stalin inflicted a crushing blow to these idealistic views.⁶⁸

Even Voznesensky, who had long vanished from the councils of the Politbureau, was condemned for offering "a potpourri of voluntarist views on the role of the state," and *Pravda* gravely warned writers who "ignore the Marxist premise of the determining role of economics in social development."⁶⁹

Stalin's caveat in the *Economic Problems* appeared on cursory observation to have arrested the trend from determinism to voluntarism. Actually, these vociferous declamations were in the nature of an admission that the transition was all but complete. These basic modifications are so rooted in Soviet ideology that to repudiate them *de facto* would mean the repudiation of the entire Soviet system. They cannot be abjured by mere verbal fiat. Stalin did not vitiate his theory of the "revolution from above" as the central concept of dialectical change, and as long as this concept remains established, it is an admission of the "idealistic" and voluntaristic character of Soviet ideology, for as long as "revolutions" are conducted by the state, Soviet ideology cannot be deterministic in its conception.

Need the State Withers Away? "As soon as there is no longer any class of society to be held in subjection," wrote Engels, "there is nothing more to be suppressed which would make . . . a state necessary."⁷⁰ Thus Engels presents the moral imperative for the state's abolition. According to Lenin, the state is not merely morally objectionable in a society without class conflict; its existence in such a society is physically impossible:

⁶⁸ P. F. Yudin, "J. V. Stalin's Work 'The Economic Problems of Socialism in the U.S.S.R.,'" *Kommunist* (No. 3), 1953, pp. 44–45.

⁶⁹ A. Sobolev, "Completely Overcome Subjectivistic Errors in Economics," *Pravda*, Jan. 12, 1953. It was Voznesensky's thesis that Soviet war economy "was marked by the operation of specific economic laws" and that "the theory of the war economy of socialism has been created by the work of our leader, the great Stalin." *Soviet Economy during the Second World War* (New York, 1949), p. 13. Cf. his "voluntarist" views, pp. 118–24.

⁷⁰ Engels, *The Anti-Duehring*, pp. 306–7.

The bourgeois, and particularly the petty bourgeois, ideologists . . . "correct" Marx in such a way as to make it appear that the state is an organ for *reconciling* the classes. According to Marx, the state could neither arise nor maintain itself if a reconciliation of classes was possible. But with the petty-bourgeois and philistine professors and publicists, the state . . . becomes a conciliation of classes.⁷¹

Obviously the root problem of contemporary Soviet political theory is Stalin's insistence that it must be constructed on the basis of the non-existence of class conflict in Soviet society. Upon this social abstraction are erected still further abstractions, but it becomes abundantly clear that the validity of the Soviet doctrine of the state can never rise above the validity of the premise upon which it is constructed. The new theory of the Soviet state naturally brings up the question of the state's ultimate superfluity. Soviet doctrine is extremely ambiguous on this point. Although the "withering away" theory has never been explicitly disavowed, it is difficult to find any extended discussion of it in recent Soviet literature. In 1939, Stalin explained that the abolition of the state was postponed until the termination of capitalist encirclement and in his discourse on linguistics he still accepted the validity of Engel's dictum that "after the victory of the socialist revolution, the state is bound to wither away" provided that it applies "for the period when the consecutive victory of Socialism. . . in most countries" is a reality.⁷² Most Soviet writers are content to observe vaguely that the state will persist in Soviet society until the liquidation of capitalist encirclement, but almost total emphasis is on the need for constantly strengthening the power of the existing state. The tendency for Soviet writers to steer clear of the problem is understandable in view of the fact that Vyshinsky and members of the highest Party councils issue thinly veiled warnings to Soviet intellectuals that exaggerated emphasis of the "withering away" theory is misplaced and apt to constitute *prima facie* evidence of "objective" treason. The statement of Malenkov in his address to the 19th Party Congress that "the enemies and vulgarizers of Marxism advocated the theory. . . of the weakening and withering away of the Soviet state," is rather typical.⁷³ Even when Soviet writers do venture to deal with the question, their observations are frequently qualified by ambiguities. Thus, Stepanyan writes that "even if capitalist encirclement is liquidated and the state withers away, a perfected machinery for administering economic and cultural life will remain," and Yudin holds that with the final world-wide victory of communism, "the administration of society will lose its *political* character."⁷⁴

The "withering away" thesis in Soviet ideology is conspicuous for its irrelevance. It no longer even serves as an important utopian category, the emphasis being on communist society. The vitality of this idea has been sapped

⁷¹ Lenin, *Selected Works*, Vol. 7, p. 9.

⁷² Stalin, *Marxism and Linguistics*, pp. 36-37.

⁷³ The complete text of Malenkov's address to the 19th Party Congress is reprinted in Martin Ebon, *Malenkov, Stalin's Successor* (New York, 1953). The quotation cited is at p. 229. Cf. Vyshinsky, *Teachings*, pp. 114-16.

⁷⁴ Stepanyan, "From Socialism to Communism," *Komsomolskaya Pravda*, Oct. 16, 1952; Yudin, *The Prime Source*, pp. 22-23.

principally because it is really unnecessary for the state to disappear. With Stalin's conversion of the state into an ethical instrument of progress and as the institutionalized expression of society's will, the original impulses for its abolition have vanished, and the thesis that the state will wither away once capitalist encirclement is liquidated cannot be taken seriously. On the contrary, if precedent is any criterion, the liquidation of capitalist encirclement, on the basis of Stalin's earlier views, could require the greater strengthening of the state, since it would now be confronted with the Herculean task of cleansing the entire world of the exploiting classes. This is in conformity with Stalin's theory that the resistance of the residual exploiters intensifies as their end approaches, and hence the power of the state must reach its zenith in order to deliver the final *coup de grace*, as a prelude to its mythical disappearance. This has been eloquently demonstrated on a restricted international scale in the areas of Eastern Europe and the Far East, where a socialist periphery supplanted a bourgeois one.⁷⁵ This doctrine is essentially an aggressive one, for it dictates the progressive strengthening of the state as long as capitalism exists, and at the same time insists that the progressive weakening of international capitalism automatically accelerates the power of the state.

V. THE CRISIS IN CONTEMPORARY SOVIET IDEOLOGY

From Ideology to "False Consciousness." "Dialectics," Lenin warned, "is not reducible to relativism," for "to make relativism the basis of the theory of knowledge is inevitably to condemn oneself either to absolute scepticism, agnosticism and sophistry, or to subjectivism," enabling one to "justify any sophistry."⁷⁶

The relativism of contemporary Soviet ideology, in its abstract conception, has compelled it to outrun its "material foundations," that is, it is no longer even in remote focus with Soviet reality. It represents a completed metamorphosis from utopia to "false consciousness."⁷⁷ A substantial part of Soviet doctrine consists of abstract categories drawn from what are officially decreed "facts of existence," through a process which can only be described as institutionalized self-delusion. Since fictions like the "monolithic will" of society, and the doctrine of "no class antagonisms" must be accepted as reality, any theory

⁷⁵ Cf. Stalin, *Leninism*, 2 vols. (New York, 1933), Vol. 1, p. 50 and *Mastering Bolshevism* (New York, 1946), pp. 21-22.

⁷⁶ Lenin, *Selected Works*, Vol. 11, p. 199.

⁷⁷ The terms "utopia" and "false consciousness" are here used in the special sense in which Karl Mannheim employs them. "Only those orientations transcending reality will be referred to by us as utopian which, when they pass over into conduct, tend to shatter, either partially or wholly, the order of things prevailing at the time." *Ideology and Utopia* (New York, 1949), p. 173. "False consciousness" or "ideological distortion" occurs when "persons try to cover up their 'real' relations to themselves and to the world, and falsify to themselves the elementary facts of human existence by deifying, romanticizing, or idealizing them . . . and thereby conjuring up false interpretations of experience. . . . Knowledge is distorted when it fails to take account of new realities applying to a situation, and when it attempts to conceal them by thinking of them in categories which are inappropriate." *Ibid.*, pp. 85-86.

based on these "facts" merely compounds the delusion by raising it to a higher level. With the periodic revisions of history, a corpus of official mythology recorded in Stalin's *History* has been erected, from which a scientific theory is abstracted. As long as Soviet philosophy is postulated on this basis, its epistemological categories can offer only a distorted image of the Soviet world. This rigor mortis has not intruded to any serious degree into the ideological prism used to view the outside world (except for the satellite states, in which case ideological distortion has assumed alarming proportions). Once this transpires, the consequences of distorted analysis in international politics can be catastrophic, since myths in this arena cannot be fully controlled or manipulated. The capacity of Soviet ideology to comprehend its own world adequately has been seriously impaired, for as long as it is constructed in this manner, Soviet philosophers will have no other function but to pontificate on official myths, not as myths or utopias, but as reality. This process has been pungently described by Milovan Djilas, Yugoslavia's fallen theoretician:

Thence subjective idealism—despite its materialistic and dialectical methodology—in the philosophy and science of the U.S.S.R. which is unfolding on the basis of untrue and undialectical proclamations that there are no more internal contradictions there. . . . The principle of this methodology is as follows: since we have no social contradictions, the consciousness of the leaders accurately reflects reality, and, accordingly, what they say is not only accurate and infallible but also a law of the development of society, that is, the material world.⁷⁸

Since "material reality" in the Soviet Union is not perceived through the sense organs, but is manufactured by decree, Soviet ideologists will continually find themselves in the same "idealistic" *cul de sac*. As long as the mythmakers are in power, the dangers of distorted analysis are minimized, but the future ruling hierarchy in the Soviet Union, weaned on a steady diet of myths, may well be victimized by the false images of Soviet society bequeathed them by their predecessors, for Soviet philosophy, then as now, rationalizes not an existing social order, but a non-existent one.

The Crisis in Soviet Leadership Theory. One area in which the gulf between image and reality is seriously affecting the Soviet system is that of leadership theory. For more than two decades, Soviet leadership theory has been based on the collective principle, whereas one-man control has been the practice. "Junta rule" has always collapsed in the Soviet Union, because the idea of an inflexible party line was never in tune with the conception of collective leadership. With the metamorphosis of the party line into "a monolithic collective will of society," as expressed through the state, the problem of adjusting to collective rule is made almost impossible. A political theory which relies for its implementation on a discoverable concept of general will or monolithic collective consciousness must personalize this expression in a single identifiable personality who has the power and responsibility, without challenge, to coordinate this will authoritatively and infallibly with the inscrutable immanent laws of the dialectic.

⁷⁸ Milovan Djilas, *New Roads to Socialism* (Belgrade, 1950), p. 18. See also p. 11.

Just prior to Stalin's death, evidence was mounting that indicated a revision of Marxist leadership formulas. The appearance of writings reformulating the Marxist-Leninist views on the role of the "great personality" in history, together with the synthetic charisma which was being spun around the figure of Stalin, indicated a trend in the direction of a possible Soviet *Fuehrerprinzip* theory.⁷⁹ This trend was arrested by Stalin's death and was supplanted with denunciations of the "cult of the leader," and "one-man rule."⁸⁰ These conspicuous disavowals served to demonstrate vividly the failure of the collective principle to work, for, theoretically, collective rule was always the only recognized principle of leadership.

The lack of a systematic theory of leadership which accords with the realities of Soviet politics and is consistent with its ideology represents a serious deficiency. The monolithic will of society is one; there exist nine possible wills at the party summit and only one can be identical to that of society. Each major policy question requiring a subtle ideological interpretation or an infinitely precise decision will accelerate the breakdown of collective rule. One-man rule simplifies the decision-making problem in a system where only a single authoritative interpretation of the Marxist-Leninist doctrine and of the policies that flow therefrom is permissible at any particular time. Historical precedent makes this a tempting situation for leaders raised in the Stalinist tradition. The "great personality" remains a potent symbol, but his identity is temporarily obscured by the fig leaf of collective rule.

⁷⁹ See "Pravda Articles," (London, 1950), which contains panegyrics delivered on the occasion of Stalin's 70th birthday by Malenkov, Beriia, Molotov, Voroshilov, and Mikoyan, for representative illustrations of the "cult of Stalin." For more fundamental trends in the revision of Marxist theory on the role of the individual in history, see I. S. Kron's praise of Kammari's book, *Marxism-Leninism on the Role of the Individual in History*, in *Voprosy Istorii* (No. 2), Feb., 1953. After Stalin's death, the book was severely criticized for "un-Marxist" treatment of the individual. Kammari's views were repudiated in F. V. Konstantinov's article, "The People—Makers of History," in *Pravda*, June 28, 1953, with the denunciation of the "great personality" theory of history which Kammari was disseminating.

⁸⁰ See "Fifty Years of the Communist Party of the Soviet Union, 1903–1953," *Pravda*, July 26, 1953; L. Slepov, "Collectivity Is the Highest Principle of Party Leadership," *Izvestiya*, April 16, 1953; "The Collegium Principle in Soviet Executive Committee Work," *Izvestiya*, June 7, 1953.

THE LOGICAL AND THE REAL IN POLITICAL THEORY: PLATO, ARISTOTLE, AND MARX

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An immediate and important insight into the significance of Greek political philosophy may be gained by examining an observation made upon it by Karl Marx. The fact that Marx's observation is fundamentally erroneous does not prevent it from being profoundly suggestive (Marx observed) in the course of his doctoral dissertation, *On the Differences between the Natural Philosophy of Democritus and Epicurus*, (that the character of the philosophical world after the death of Aristotle in the Fourth Century B.C. was similar to that of the philosophical world after the death of Hegel in the Nineteenth Century.¹ What was this similarity of which Marx speaks? We may best understand it if we know that Marx had considered that his own achievement had been to break through the "completed, total world" of Hegel's "pure theory, theology, philosophy, ethics etc.," and to have resolved the "absolute metaphysical spirit into the real man standing on the foundation of nature."² Evidently, then, (Hegel's system of philosophy had separated human thought from the "real man," and had gone off into "pure theory," unconnected with the real world. Aristotle, too,) Marx contended, (had, by the same kind of misconception, freed the theoretical mind from mundane reality. But there was an extremely important difference between Hegel and Aristotle,) a difference of which Marx had to avail himself by a special indebtedness to each. The difference was this: In Aristotle's "pure theory, theology, philosophy, ethics etc.," the material world had a real existence independent of man; in Hegel's "pure theory, theology, philosophy, ethics etc.," the material world did not exist independently of man's thought, and hence it existed in "pure thought and in abstraction."³ In Hegel's philosophy, the material world is "reclaimed" for man, but it is at the same time negated in its material existence. Now if Marx wished to convert this Hegelian speculative conquest of the world of nature into a real, practical conquest, it was necessary that he make some return to the Aristotelian conception of a theoretical mind

¹ It has been pointed out that Marx expressly mentions the fact that the subject for his doctoral dissertation was suggested by his awareness of the parallel between the post-Aristotelian philosophy and the post-Hegelian philosophy. See Eric Voegelin, "The Formation of the Marxian Revolutionary Idea," *Review of Politics*, Vol. 12, pp. 275-302 (July, 1950). Marx's observation may be found in *Über die Differenzen der demokratischen und epikureischen Naturphilosophie*, in Marx-Engels, *Gesamtausgabe*, Sec. II, Vol. 1, Pt. I, p. 131.

² Quoted by Otto Rühle, *Karl Marx, His Life and Work* (London, 1929), p. 33. Marx is here acknowledging his indebtedness to Ludwig Feuerbach. See my "Ludwig Feuerbach and the Formation of the Marxian Revolutionary Idea," *Laval Théologique et Philosophique*, Vol. 7, pp. 218-48 (No. 2, 1951).

³ *Oekonomische-philosophische Manuskript 1844*, Marx-Engels, *Gesamtausgabe* Sec. I, Vol. 3, p. 155.

that recognized the reality of the material world. This he did) as we shall see when we consider Marx's political theory.

Now the curious thing, and a thing of utmost importance to observe, is that (it was precisely by having shown that the order of reality and the order of logic (the order of the human mind) are not identical, that Aristotle was able to assure, against Plato, the real, independent existence of the material world. For Plato) as we shall see, (differed from both Aristotle and Hegel: he thought that the material world existed independently of the human mind, but that its real existence was an essentially immaterial one. Aristotle's achievement was, indeed, the very foundation of his philosophy, including his political philosophy; it is the ultimate explanation of the realist, natural, and non-totalitarian character of his political science.)

We can understand this basic contribution of Aristotle only by seeing it in relation to the earlier speculations of Greek thinkers on the nature of the physical universe. It is not necessary to relate here the history of the early Greek cosmological speculations. It is enough if we try to understand the state of thought at the conclusion of the cosmological period in the Fifth Century B.C.

The efforts of the Greek thinkers in the realm of physics had culminated in a condition of intellectual paralysis. This condition was perhaps best reflected in the conflicting theories of two of the greatest of the early thinkers, Heraclitus and Parmenides. It was the teaching of Heraclitus that the only reality is change; there is no underlying substratum that may be said to undergo change, and therefore Heraclitus was saying that science is impossible, for science ought to be certain and necessary, at least in part. Parmenides of Elea had succeeded in transcending the world of physical bodies and even that of mathematical forms, and had attained the notion of *being* as such. But since, according to Parmenides, *that which is* is, and *that which is not* is not, there is only one science possible: the science of being. The distinction of things is an illusion because the only difference between two beings must necessarily be non-being, and non-being is not; hence all things are one, without distinction and without change. The philosophy of Parmenides found its most brilliant apologist in Zeno, and the arguments of Zeno appeared to his opponents to be unanswerable. The paradoxes of Zeno became famous; they were designed to show the impossibility of change and plurality. He argued, for example, that motion cannot possibly begin because a body in motion cannot arrive at another place until it has passed half the distance between its point of departure and its goal; but the number of intermediate places is not just one but is infinite; therefore, since an infinite space cannot be traversed in a finite time, motion is obviously an illusion of the senses.

This impasse in Greek philosophy ushered in a period of crisis in Greek thought. The man who was to initiate the rescue of philosophy from its parlous state was Socrates. Socrates committed none of his teachings to writing; our knowledge of him is chiefly had from the accounts of Xenophon, one of his students, and above all from Plato, his great disciple. It is from Aristotle, however, that we have the most valuable information on the teaching of Socrates,

and in the Thirteenth Book of his *Metaphysics* he tells us that Socrates was the first of the Greek thinkers to raise the problem of universal definition. "For of the physicists," Aristotle writes, "Democritus only touched on the subject to a small extent. . . ." ⁴ "But it was natural," continues Aristotle, "that Socrates should be seeking the essence, for he was seeking to syllogize, and 'what a thing is' is the starting point of syllogisms; . . . for two things may be fairly ascribed to Socrates—inductive argument and universal definition, both of which are concerned with the starting point of science." ⁵ The method which Socrates employed, called "maieutic," the art of intellectual midwifery, sought to aid the intellect in bringing forth its proper object by seeking the essences of things and expressing them in definitions. Philosophy had advanced beyond the stage where it had sought some one universal nature—water, air, fire, numbers, or even absolute being—as the ultimate substance of everything. Socrates had, on the contrary, engaged it in the task of determining and defining the essence of each thing by genus and difference, by a concept proper to itself alone. If we wish to see the Socratic method in operation we have only to study the masterly use of it in the great Dialogues of Plato.

It was the very merit and value of the Socratic discovery that contained a latent danger: the discovery of definition involved the possibility of identifying the real order with the logical order, of identifying the real existence of things defined with their existence in the mind. It was to this error that Plato, by an understandable inadvertence, succumbed. Having observed that knowledge takes place through some kind of similitude, and that the things understood in the mind are understood under conditions of immateriality and immobility, Plato was led to suppose that things existed in themselves under such conditions. Plato's theory that the essences of things were necessarily immaterial was further determined by his Heraclitean discipleship. As Aristotle tells us:

For having in his youth first become familiar with . . . the Heraclitean doctrines [that all sensible things are ever in a state of flux and there is no knowledge about them], these views Plato held even in later years. Socrates, however, was busying himself about ethical matters and neglecting the world of nature as a whole, but seeking the universal in these ethical matters, and fixed thought for the first time on definitions; Plato accepted his teaching, but held that the problem applied not to sensible things but to entities of another kind—for this reason, that the common definition could not be a definition of any sensible thing, as they were always changing. Things of this other sort, then, he called Ideas, and sensible things, he said, were all named after these, and in virtue of a relation to these; for the many existed by participation in the Ideas that have the same name as they. ⁶

The philosophy of Plato, including his political philosophy, was formed, then, by the confluence of two streams of thought: the speculations of Heraclitus on the problem of being and becoming, and the discovery by Socrates of inductive argument and definition. The solution which Plato worked out, known as the Doctrine of Ideas, enabled him to account for the nature of science in a better

⁴ *Metaphysics*, Bk. XIII, ch. 3, 1078^b, 20.

⁵ *Ibid.*, 1078^b, 24.

⁶ *Metaphysics*, Bk. I, ch. 6, 987^a, 31–987^b, 10.

way, however inadequate, than had hitherto been possible. Its inadequacy lay exactly in its achievement: it had found the possibility of defining and classifying things—a task initial and indispensable to science—but it could not distinguish the real existence of things from the mode of their existence in the logical order. The logical universal, insofar as it is predicable of many—as, for example, “man” is predicable of John, James, and Paul—is neither a principle of existence nor a substance. “Man” is not something apart from John, James, and Paul who are men. But (Plato supposed this universal to be a principle of existence; he gave to this universal a separate existence. For Plato the universal “man” exists, and the individual men whom we know through our senses are merely weak participations in the idea Man) We must observe that in the logical order the more universal concept is imposed on the less universal as if it were a form determining matter; thus, in “man is an animal,” and “dog is an animal,” the terms “man” and “dog” are as variable matter with respect to the imposition of the determining form “animal.” But actually, in the real order, “animal” is not the determining form of “man” and “dog”; in the real order, “animal” is an indeterminate and confused concept compared with “man” and “dog.” For there is no animal in general: there is no animal except dog which is an animal and man who is an animal, etc. St. Thomas Aquinas, the clearest and greatest of the commentators on the philosophy of Aristotle, explains this point as follows:

That which is common to many is not something besides those many except . . . logically: thus animal is not something besides Socrates and Plato and other animals except as considered by the mind, which apprehends the form of animal as divested of all that specifies and individualizes it: for man is that which is truly animal, else it would follow that in Socrates and Plato there are several animals, namely animal in general, man in general, and Plato himself.⁷

(For Plato) on the contrary, (the more universal concept in the logical order was looked upon as more real, more determinate, more “rich,” and it was thought by him to contain actually, and not merely potentially, its subjective parts.) If this were the case, (if the subjective parts “man” and “dog” were in the genus “animal” actually and not merely potentially, it would follow that these parts would have no determinate, specific existence; they would be absorbed in the genus.) Thus it was that Plato supposed John Smith and Paul Jones to be almost nothing, nothing but weak participations in the idea Man.

(It was this identification of the logical order with the real order that was responsible for the absorption, in Plato’s political philosophy, of the real parts of political society in the whole.⁸ “But what?” he asks, “the nature of a large house and that of a small city, are they different with regard to government? Not at all.”⁹ Indeed, (he tells us that the state is nothing but the individual writ large. The mistake of identifying the logical order with the real order ac-

⁷ *Contra Gentiles*, I, ch. 26.

⁸ See Jacques de Monleon, “Petites notes autour de la famille et de la cité,” *Laval Théologique et Philosophique*, Vol. 3, pp. 262–89 (No. 2, 1947).

⁹ *The Statesman*, 258E–259D.

counts for the extreme unity that Plato seeks to achieve for the ideal Republic. This effort at the greatest possible unity is manifest in all the striking features of the Republic. The "parts" or classes of the Republic—rulers, warriors, and artisans—are conceived quite independently of the natural parts of society, especially of the family.) These latter have as much reality, in Plato's view, as John Smith has in relation to "Man." (With Plato the individual, the family, and the quasi-natural associations are absorbed as much as possible in the state. That their activity is considered to be principally that of the whole state is evident from what he has to say on the abolition of private property and the family among the guardians. Loyalty to the common good is hindered by loyalty to one's family and by interest in one's property. Plato supposes that family affection is incompatible with the affection that should obtain in that larger "family" which is the whole society of the state,) where all children are sons of all, and all men are brothers, "all men saying mine and not mine at the same instant of time." But as Aristotle will point out:

This is not the way in which people would speak who had their wives and children in common; they would say "all" but not "each." In like manner their property would be described as belonging to them, not severally but collectively. . . . That all persons call the same thing mine in the sense in which each does so may be a fine thing, but it is an impracticable one; or if the words are taken in the other sense, such a unity in no way conduces to harmony.¹⁰

(The observation of Marx on the outcome of Greek philosophy) to which we alluded at the beginning of this paper, (is sufficiently verified in the case of Plato: Plato separated human thought from the "real man" and had gone off into "pure theory" unconnected with the real world. But Marx's target was not Plato; the object of his comment was the condition of philosophy after Aristotle had completed his correction of Plato's thought.) Now we must not suppose that Marx had any deep sympathy for the communism of Plato, because (for Marx "the real life is no more the reality of man based on the suppression of private property" than it is the reality of man based on any negation: "Communism poses the negation as a negation; . . . but communism is not in itself the goal of human education, . . . the form of human society."¹¹ No, the fundamental affinity between Marx and Plato, as the disaffinity between Plato and Aristotle, is found in the Platonic assumption that the individual is nothing if not the species.) Of course Plato maintained that the individual was not the species, and therefore he reduced the individual to mere "shadow." (Marx will maintain,) as we shall point out more fully later, (that the individual is the species because the species is nothing if it is not the individual. It is precisely the confusion between the logical order and the real order that allows Marx to identify the material individual,) John Smith, (with the species man, just as it allowed Plato to give separate existence to the universal "man." It is exactly in this way that Marx claims to have resolved "the absolute metaphysical spirit

¹⁰ *Politics*, Bk. 2, 1261^b, 23-33.

¹¹ *Oekonomische-philosophische Manuskript* (cited in note 3), Vol. 3, pp. 125-26.

into the real man standing on the foundation of nature."¹² The "antagonism between . . . the individual and the species" is resolved by the "generic natural relation," in which man is seen as a "conscious generic being) a being which relates itself to the species as to his own proper being, or which relates itself to itself as a generic being."¹³

(In distinguishing the real order from the logical order, Aristotle makes it clear that the universal "man," insofar as it is predicable of many, has no being outside the reason. No man identifies himself with human nature itself; what he may well know is that he is *a* man, but not that he is *man*.) It is true that the species has no existence except in John Smith, in Paul Jones, etc. But John Smith is not the species; he is of the species and belongs to it. It is only when we consider the abstract species that we have a "one toward many": man can be said of John Smith, of Paul Jones, etc. But we cannot say that man is John Smith, nor that man is Paul Jones. Insofar as Aristotle makes clear that this "universal of predication" has no being outside of the reason, he may be said to have separated human thought from the "real man"; this was to guarantee the "real man" in the real order. (Insofar) on the other hand, (as he denied, against Plato, that this logical universal has a separate existence, he did not separate human thought from the real man: "man" is not something besides John Smith and Paul Jones.)

(When Aristotle says that the logical universal has no being outside of the reason, he does not mean that it is not essential to our knowledge of the real nature of things. The logical universal does not) it is true, (exist as such, outside of the reason; but it is a universal verity rooted in material individual things, as is clear from the fact that what we say of "animal" in general is true of every animal in particular.) It is, for example, true that every man has sense knowledge, but that is true of cat and dog and every other animal as well. The general definition of "animal" expresses at least that which the different species of animal have in common. In speaking of the general definition of "soul," Aristotle makes the matter clear:

It is now evident that a general notion can be given of soul only in the same sense as one can be given of figure. For, as in that case there is no figure distinguishable and apart from triangle, etc., so here there is no soul apart from the forms of soul just enumerated. It is true that a highly general definition can be given for figure which will fit all figures without expressing the peculiar nature of any figure. So here in the case of soul and its specific forms. Hence it is absurd in this and similar cases to seek a common definition which will fail to express the peculiar nature of anything that *is*. . . . The cases of figure and soul are exactly parallel; for the particulars subsumed under the common name in both cases—figures and living beings—constitute a series, each successive term of which potentially contains its predecessor, e.g. the square the triangle, and the sensory power the self-nutritive. Hence we must ask in the case of each class of living things, What is its soul, i.e. What is the soul of plant, animal, man?¹⁴

¹² Quoted by Rühle, *Karl Marx, His Life and Work* (cited in note 2), p. 33.

¹³ *Manuscript economico-philosophique*, XXIV. Cited in *De Marx au Marxisme*, ed. Robert Aron et al., (Paris, 1948), p. 95.

¹⁴ *De Anima*, II. ch. 3, 414^b-415^a.

(It is in this same vein that Aristotle begins the consideration of political matters. He introduces the subject by observing that "every state is a community of some kind."¹⁵) It is the real order that Aristotle investigates, using logic as an instrument only. Just as there is little profit in seeking a common definition of soul, so there is little profit in attempting to find a general definition of community which will fail to express the peculiar nature of any community that is.) But some people—and he refers to Plato—think that there is no difference between a great household and a small state. "But all this is a mistake; for governments differ in kind, as will be evident to any one who considers the matter according to the method which has hitherto guided us. As in other departments of science, so in politics, the compound should always be resolved into the simple elements or least parts of the whole."¹⁶)

For our present purpose we need observe only that (Aristotle proceeds, in accordance with the intention of the method he has announced, to distinguish the natural parts of political society and the different kinds of rule that they imply.) (We are made to see at once that the family and property are natural to man in a much more primordial way than is political society: the family and private property are designed primarily to safeguard the very being of men, and property is an instrument of the household.) The naturalness of the relationship between man and woman is found in the intention of nature to generate the species, thus making this relationship of persons primary in the sense precisely that it is found also among other animals and in plants. After the natural difference between man and woman, Aristotle speaks of a natural difference founded upon the nature which is proper to man, namely, the rational. And here the primary distinction is not in terms of any ability of the reason, but in terms of the minimum of the reason's ability with respect to the ordering of human acts to the whole end of human life: that is, the distinction is in terms of the practical reason or prudence. Finally, (the naturalness of political society is distinguished from that of the family in terms of the final intention of human nature to perfection in the virtues and the arts.) Although Aristotle finds in the relationships of persons in the household certain analogues of civil rule, (it must not be imagined that the government of a king over his subjects is natural in the same sense that a father's government over his children is natural.) The father's rule over his children is like royal rule in civil society because the father rules over his children by love and for their own good; but the rule in political society is over freemen, that is, over men who by their knowledge and will choose their form of government. (The nature of a large household and that of a small state are different in regard to government.)

(It is now possible to see why, from Marx's point of view, Aristotle even more than Plato is guilty of separating human thought from the real man. For with Aristotle, the universal of predication, although¹⁷ having no real existence as a universal, does say something true about all the particulars subsumed under it: community in general does not exist, but of the kinds of community that do

¹⁵ *Politics*, I, ch. 1, 1252^a, 1.

¹⁶ *Ibid.*, 1252^a, 7.

exist, the notion of common good is applicable. Hence according to Aristotle the individual man participates in a good which, while it is indeed his own good, is one of which he himself is not the absolute measure.) he participates in a common good which is essentially communicable to many, whether it is the common good of that kind of community known as the family, or the common good of that kind of community known as the state. (Aristotle indeed affirms the real individual man; it is precisely because he does so that Marx will complain that the good of the individual is alienated by Aristotle allowing that there is a series of common good of which the individual man as such is not the absolute measure. Plato, on the contrary, by holding that the universal of predication has real existence—man in general exists, society in general exists—makes more easily possible the conclusion that Marx will draw: not that the universal of predication does not exist as such, but that it exists as such—in every individual man—that every individual man is conscious of himself as being both individual and species.¹⁷) It is in this way that Marx understands the necessity of not separating human thought (which knows the universal) from the real man (the material, sensible individual). Marx is ready to declare that the difference between man and brute animal is precisely that man is conscious of himself as being both individual and species. By the same line of reasoning he declares, at the other extreme from Plato, that it is the individual man who is the whole of society:

Man—to whatever degree . . . that he may be a particular individual . . . is as much at the same time the totality, the ideal totality, the subjective existence of society thought and felt for itself.¹⁸

(What Aristotle suggests by way of irony in criticizing Plato—that if he wants the simplest possible unity he ought to reduce the state to the family and the family to the individual—is true of Marx without irony. Indeed, the individual man becomes the totality of *being*.) “Socialism . . . takes its departure from the theoretically and practically sensible conscience of man in nature, considered as being.” It is because of this premise that “it becomes impossible practically to ask if there exists a being outside of man. . . .”¹⁹ It follows too from this obverse-Platonic confusion of the logical with the real order, (that any and all forms of social life that do not find and receive their absolute measure in the individual as such, are alienations of his “generic being,” and must all be destroyed before man can recover his “initial independence”—that independence which purports to resolve “the antagonisms between man and nature, origin and being, liberty and necessity, individual and species.”²⁰) It becomes evident how the “new man” will be created—the man for whom “the necessity of observing the simple and fundamental rules of human society will pass very rapidly into a state of habitude.”²¹ (The phase of totalitarian suppression of every

¹⁷ *Manuscript economico-philosophique* (cited in note 13), XXIV, p. 95.

¹⁸ *Oekonomische-philosophische Manuskript*, p. 117.

¹⁹ *Ibid.*, p. 125.

²⁰ *Ibid.*, p. 114.

²¹ V. Lenin, *The State and Revolution* (Detroit, Michigan), p. 108.

natural social form will give way to the "higher phase" of communism in which the suppression itself will have become wholly "natural":

Communism poses the negation as a negation: it is consequently the *real* element, and indispensable to the historic development of the future, to human emancipation, and the recovery of human dignity. Communism is the necessary form and organic principle of the immediate future, but communism is not itself the goal of human education,—the form of human society.²²)

(It should now be clear how this basic matter of the relation of the logical order to the real order affects the whole structure of political theory. Plato's confusion was understandable,) for it came at the very beginning of Western speculative efforts. But to confuse the logical order with the real order after Greek philosophy had carefully distinguished them, seems rather an error on the part of man's will than on the part of his mind. Marx simply completed a modern trend—that of transposing the whole order of nature to the domination of man: its accomplishment by revolutionary "practise" is preceded by a speculative conquest in identifying the order of things in nature with the order which reason puts in its own acts. To do this is to destroy science and to replace it with myth—the myth of Plato's philosopher-king or the myth of the dictatorship of the proletariat. For Aristotle logic is indeed the art of arts, but it is not a magic art; it is employed as an instrument to guide man in an orderly way, with ease and without error; in the construction of true science.

²² *Oekonomische-philosophische Manuskript*, p. 125.

THE PEOPLE OF THE STATE DEPARTMENT AND FOREIGN SERVICE

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Who handles American foreign relations?

The question has been answered and discussed in terms of the Executive and the Congress in several recent books.¹ We shall attempt here to answer the question in terms of the people who occupy the higher, or policy-making, positions in the Department of State and Foreign Service. Biographical data is published for individuals in this group in the *Biographic Register of the Department of State* and its supplements.

This type of "Who's Who" sketch is limited, of course, to the bare skeletons of men's lives and is worthless as a test of faith and gumption. One of the tragedies, indeed, in the public service since the loyalty program began in 1947 is the fact that loyalty and security risk cannot be proved by social analysis in a time when loyalty and safeness in matters of security are the great questions that overshadow other concerns in any consideration of public personnel. Of the main reasons for finding an employee a poor security risk—wrong political association, bad character, sexual deviation, excessive drinking, or talking too much—none can be measured by any objective standard. Guilt is a matter of degree, and the degree is a matter of opinion among security officers and others who are urged by their climate to be as suspicious as possible.

Skeleton biographies can, nevertheless, answer some questions about the people who handle American foreign affairs. They can tell us the regions of birth, the ages of officials, the types of schools attended, the types of experience prior to government service, and the duration of experience in government.² All such answers are relevant to an objective analysis of where we stand for personnel in at least the Department of State and the Foreign Service. We need

¹ For review articles dealing with the recent literature in this field see Arthur W. Macmahon, "The Administration of Foreign Affairs," this REVIEW, Vol. 45, pp. 836-66 (Sept., 1951); Royden Dangerfield, "Studies in the Administration of United States Foreign Affairs," *Public Administration Review*, Vol. 40, pp. 275-82 (Autumn, 1951). Two important books that have appeared since these review articles were written are Professor Macmahon's *Administration in Foreign Affairs* (University, Ala., 1953); and William Yandell Elliot, *United States Foreign Policy, Its Organization and Control* (New York, 1952).

² An analysis similar to the one to follow appears in James L. McCamy, *The Administration of American Foreign Affairs* (New York, 1950), chs. 4 and 8, based upon data of 1948. The main differences between the present study and the earlier one are: (a) The new data are for April, 1952; (b) the new analysis of the Foreign Service covers all Foreign Service Officers and Reserve and all higher officials of the Foreign Service Staff, while the earlier study was based upon a sample of one-third of Foreign Service Officers only. The Foreign Service Staff and Reserve, created by the Foreign Service Act of 1946, were not sufficiently settled in 1948 to permit fruitful analysis.

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the same type of analysis, of course, for other parts of the government, particularly the military, but the data is not easily available.

In the following pages we shall present the analysis of biographical sketches of 7,302 persons as they appeared in the *Biographic Register of the Department of State*, April 1, 1951, and its *Supplement*, April 1, 1952.

The 7,302 persons are divided thus: Foreign Service Officers (career), 1,475; Foreign Service Staff Officers (above Class 9), 2,893; Foreign Service Reserve Officers, 512; Technical Cooperation Administration staff, 100; and Departmental officers, General Schedule Grade 12 and above, 2,322. Included in the total for the Department of State, on duty in Washington, are 179 Foreign Service Officers, 70 Foreign Service Staff Officers, and eight Foreign Service Reserve Officers who are counted twice, in effect, because they also appear under their respective Foreign Service categories. These few individuals do not, we feel, distort the evidence enough to matter. We have not anywhere included 58 non-career or political appointees and 31 officers of the Institute for Inter-American Affairs who do not fall into any of the above categories.

Obviously we are assuming here that persons holding ranks above certain grades and all persons in the career Foreign Service are influential in policy-making. This is defensible. These people do occupy the higher posts and receive the higher salaries. From experience and observation we know that, with the usual few exceptions, persons in the upper half of the federal service and in all the Foreign Service are in positions where they can influence policy.

One common error, for example, is to assume that administrative management officers, such as accountants, budget officers, personnel officers, and those who handle purchases and services, are outside "policy-making." No policy can be executed without their help. Their discretion is broad within their own areas of work. If they want to thwart a program, they can do so easily; and if they want to make one succeed, they can do that too. The wise executive who wants to see his policies reach practice remembers this and consults the management officials at all stages. Similarly the young vice-consul in the Foreign Service, eager-eyed but far from the distant middle age when he will begin to be in charge of some of the work abroad, may in his tender years be placed in charge of immigration cases, at least in their first development. Immigration is delicate foreign policy.

Finally, in introduction, we should define the categories of personnel employed in the Department of State and Foreign Service in 1952.³

¹ *Foreign Service Officers* (career) are a tight inner elite of rigidly selected men (and 20 women) who occupy the key posts in most embassies, legations, and consulates. Ordinarily entering the service just after finishing college, they may, if they rise steadily, end as Career Ministers, eligible to head missions or to hold high posts in the Department of State.

Foreign Service Staff Officers (above Class 9) are for the most part specialists, in contrast to Foreign Service Officers, who are expected to be able to handle

³ The groups of the Foreign Service were established in the Foreign Service Act of 1946, *Public Law 724*, Chap. 957, 79th Cong., 2nd sess.

any kind of work in a mission. Clerks, stenographers, and other non-policy makers are also in the Staff but are usually below Class 9. Above Class 9, within the group counted here, are the administrative management officials and numerous specialists in labor, agriculture, trade, culture, and other subjects of relevance to the work of a mission. In many cases Staff Officers do the same work as career Foreign Service Officers, although they are not chosen by the same examination and may never reach the peak of rank of Career Minister unless they are admitted to the career service.

Foreign Service Reserve Officers are appointed for temporary tenure. The original purpose was to borrow specialists from other government agencies and from private institutions and to place them in the Reserve for non-career appointments in missions abroad. The chief distinction between this group and the Foreign Service Staff is that appointment to the Reserve is limited to a maximum of four years, although after an interval another appointment is possible. Ranks in the Reserve are the same as in the Foreign Service, except that a Reserve Officer may not become a Career Minister. Only a Foreign Service Officer may become a Career Minister.

Technical Cooperation Administration staff is distinguished here because it was set apart in the missions abroad. Since 1953 it has been a part of the Foreign Operations Administration, not under the Department of State.

Departmental Officers, General Schedule Grade 12 and above is the category that includes those who work in the Department of State in Washington. At the time the data for this analysis was collected, anyone in Grade 12 was paid at least \$7,040. The lowest salary in the General Schedule then was \$2,500; the highest was \$14,800 in Grade 18. An employee in Grade 12 or above was in the upper ranks.

I. REGION OF BIRTH

Is the handling of foreign affairs dominated by persons from the isolationist Midwest, the internationalist South, or any other region? In Table I we compare by region of birth the percentages of personnel in each of the categories with the percentage of white population for the region in the census of 1920, the census year closest to the time when most present higher officials were born. White population alone is chosen because of the insignificant number of Ne-

TABLE I. REGION OF BIRTH: PERCENTAGE OF OFFICIALS BORN IN VARIOUS REGIONS

	FSO	FSS	FSR	TCA	Dept.	Region's White Popul. in 1920 as % of Total U.S. White Population
Northeastern States	37.4	36.5	40.3	28.2	40.3	30.5
North Central States	29.1	29.7	29.3	31.0	28.4	35.0
South	22.5	22.9	19.4	28.2	23.1	25.5
West	11.0	10.9	11.0	12.6	8.2	9.0

groes in these positions. The regions used here are combinations of smaller census regions: the Northeast includes the Middle Atlantic and New England; the North Central, the East and West North Central states; the South, the West and East South Central states and the South Atlantic; and the West includes the Mountain and Pacific states.

Clearly the Northeast has contributed more to the group of permanent officials in foreign affairs than its share of population. For all categories save the Technical Cooperation group, it has contributed an average of 8.1 percentage points more permanent officials than its share of the 1920 white population. The West too has sent a few more people—an average of 1.7 percentage points—into foreign affairs than its share of white population. The North Central Region has contributed an average of 4.0 percentage points lower than its share of white population. The South, including the District of Columbia, has sent to this work an average of 3.5 percentage points less than its share of white population in all categories save Technical Cooperation work, where it showed 2.7 percentage points above its share of white population. Some correction is necessary in the case of the South, however, since the District of Columbia is not typically a part of the South, being more a home of government employees from many regions. If we remove the District of Columbia from the South, the South's deficit rises to an average of 6.3 percentage points except for Technical Cooperation personnel where there is a surplus unchanged of 2.7 percentage points.

Relatively more people from the Northeastern United States and from the West have reached the higher positions in foreign affairs. These two regions, by Ralph Smuckler's analysis, have tended to be more internationalist than isolationist.⁴ Proportionately fewer people have entered this work from the North Central region and from the South. Of these regions, the North Central has tended to be isolationist; the South has tended to be internationalist.

Certainly no cause and effect can be established from such evidence. Probably no conclusion is warranted. The data, shall we say, simply show that, with the exception of the South, persons born in the more internationalist regions have tended more than those in the North Central region to occupy the higher posts in the Department of State and Foreign Service. No one region is so dominant that it need cause alarm.

II. AGE

Are our policy-makers in foreign relations too young to have good judgment? Or too old to have imagination and initiative? Table II shows the percentage of higher officials in each of five age groups.

Young men of age 20–30 form a larger percentage of the career Foreign Service Officer group because all Foreign Service Officers are counted here as pol-

⁴ Ralph Smuckler, "The Region of Isolationism," this REVIEW, Vol. 47, pp. 386–401 (June, 1953). While the nation is not divided as neatly as most conversation has it, Professor Smuckler does find that according to votes in Congress the North Central region is more isolationist than other regions. See also George L. Grassmuck, *Sectional Biases in Congress on Foreign Policy* (Baltimore, Johns Hopkins University Studies in Historical and Political Science, Vol. 78, 1951).

TABLE II. AGE: PERCENTAGE OF POLICY-MAKING OFFICIALS IN EACH GROUP

	FSO	FSS	FSR	TCA	Dept.
20-30 years	16.8	7.6	3.0	2.0	1.9
31-40	42.0	44.0	36.7	31.3	43.7
41-50	24.1	30.5	39.0	41.4	37.0
51-60	15.8	14.3	17.5	19.2	13.9
61 or more	1.3	3.6	3.8	6.1	3.5

icy-makers. Younger men in the other categories have not yet reached the higher ranks where policy-makers reside in this analysis. Relatively few young men, below the age of 30, occupy higher posts in the Department of State and Foreign Service, with the exception of the group of career Foreign Service Officers. Most officials bunch in the two decades of 31 to 50 years. For whatever reasons (death, illness, early retirement, resignation), there is a sharp drop in the percentage of ages above 51. Only small, insignificant percentages are above 61 years of age.

If the executives of the rank of division chief and higher in the Department of State are analyzed separately, they are somewhat older than the whole group. Thus 45.5 per cent of these top executives are 41-50 years old compared to 37.0 per cent of all the Department's officials, and 17.3 per cent are 51-60 years old compared to 13.9 per cent for the whole group. There is no difference in the age group of 61 and more; 3.6 per cent of the top executives and 3.5 per cent of the whole group are 61 years old or older.

Older men and women in many societies are considered to have learned more and to be wiser than middle-aged or younger people. In our own society we often use older people as leaders in Congress and in business. We use very few above 61 years of age in the Department of State and Foreign Service.

III. THE EMPLOYMENT OF WOMEN

As one might expect in our culture, few women are admitted to the Foreign Service or the higher posts of the Department of State. The lowest percentage is found in the group of career Foreign Service Officers, where only 1.3 per cent of all officers are women. The highest percentage is found in the Foreign Service Staff, where 13.5 per cent of the higher employees are women. The Department of State has 11.8 per cent women among its officials; the Foreign Service Reserve 5.1 per cent, and Technical Cooperation Administration 3.0 per cent. For all groups together 9.8 per cent are women.

IV. EDUCATION

Preparatory School. We now reach the delicate question of whether the people who handle foreign relations are typical of the whole population in the type of schooling they received. It is delicate because some would argue that atypical education is better than public, or typical, education and hence produces better trained public officials. Others argue that private schooling encourages snob-

bism and is removed from the democratic elbow-rubbing of public high schools. First, the facts: 39.8 per cent of Foreign Service Officers, 34.2 per cent of Foreign Service staff, 35.7 per cent of the Foreign Service Reserve, and 34.3 per cent of Department of State Officials went to private preparatory schools. Comparable data were not available for Technical Cooperation Administration.

Private schools in the United States were identified in Porter Sargent's *A Handbook of Private Schools, 1951-1952*. All training in schools abroad was assumed to be private. If the individuals educated abroad are removed from the total, however, some considerable differences appear for all groups except the career Foreign Service Officers. Omitting foreign schools the percentages are: Foreign Service Officers, 36.0; Foreign Service Staff, 19.5; Foreign Service Reserve, 22.6; Technical Cooperation Administration, no data; and Department of State, 26.6. We believe that, regardless of these differences, the percentages based upon the inclusion of individuals trained abroad is the more descriptive. Those who went to high school abroad, whether public or private, were trained in a different manner and different climate than were those educated in American public high schools. If we are seeking light on the type of schooling, the foreign schools are distinct.

In 1938, when a person born in 1920 would have been ready to leave high school, only 7.08 per cent of the total of all high school graduates in the nation came from private schools. In that year enrollment in private high schools was divided 69.4 per cent in Catholic schools, 11.9 per cent in other denominational schools, and 18.7 per cent in non-sectarian schools.⁵ It is not within our present resources to say how many officials came from Catholic, other denominational, or non-sectarian private high schools.

Without question the heavy weight of private schooling is significant. This tendency toward the employment of private school graduates has a long history in the Foreign Service, at least, and shows no sign of changing. When we compare the various classes, or by inference age groups, from the youngest recruits in the beginning class to the older officers at the top, we find that the percentages are fairly evenly distributed from youngest to oldest officials in all three branches of the Foreign Service: Officers, Staff, and Reserve.

One can only speculate concerning why private school graduates are more prevalent in this work than in the population. Perhaps private school graduates are more travelled and more interested in work abroad. Perhaps they come from families where diplomatic work carries more prestige than work in the vineyards of business or professions or government agencies not equally concerned with foreign relations. Perhaps private schools create more interest in careers in diplomacy. Whatever the reason, the fact is that private schools are represented in the Foreign Service and in the Department of State in a much higher proportion than in the total population.

Colleges and Universities Attended. As is shown in Table III, many colleges and universities have contributed graduates and former students to the ranks

⁵ U. S. Office of Education, *Biennial Survey of Education, 1937-38* (Washington, G.P.O. 1940).

of officials who handle foreign affairs. (In this sense a college gives only the first degree; a university gives the first and also advanced degrees.)

TABLE III. NUMBER OF COLLEGES AND UNIVERSITIES IN WHICH POLICY-MAKING OFFICIALS TOOK UNDERGRADUATE AND GRADUATE WORK

	FSO	FSS	FSR	TCA	Dept.
American Colleges	125	298	79	36	229
American Universities	121	179	90	48	142
Foreign Colleges	21	23	8	—	20
Foreign Universities	57	109	48	3	113
Totals	324	609	225	87	504

The next question is whether the greater number of these officials come from a relatively small number of institutions. To answer this—except in the case of the Department of State officials, for whom the data was certain only for college attendance in general—we have chosen undergraduate training as the most typical. It can be taken in more institutions. Graduate work and professional training are available in fewer places, and the circumstance of studying while working at a job often dictates the choice of a school.

One way to show the distribution is to list those institutions which have contributed half of the total of policy-making officials (Tables IV–VII). Technical Cooperation can be eliminated from this consideration. Only six institutions were represented by more than one graduate among its officials, and none by more than four officials. For all other groups, the percentage contributed declines steadily once the schools at the top have been passed: Harvard, Princeton, and Yale for the Foreign Service Officers; California and Harvard for the Foreign Service Staff; Harvard for the Foreign Service Reserve; and Columbia, Harvard, and George Washington for Department of State officials.

TABLE IV. PERCENTAGE OF FOREIGN SERVICE OFFICERS WHO RECEIVED UNDERGRADUATE TRAINING IN INSTITUTIONS THAT TRAINED ONE-HALF OF ALL OFFICERS IN THIS GROUP

(Total Who Received Bachelor's Degree or Equivalent=1,306)

Number Per Cent			Number Per Cent		
Harvard	128	9.8	Columbia	25	1.9
Princeton	101	7.7	Dartmouth	25	1.9
Yale	96	7.3	Chicago	20	1.5
Georgetown	61	4.7	Wisconsin	20	1.5
California	56	4.3	Virginia	19	1.5
Stanford	38	2.9	U. of Washington	17	1.3
George Washington	32	2.4	City College, N.Y.	16	1.3
Totals			654	50.0	

TABLE V. PERCENTAGE OF FOREIGN SERVICE STAFF OFFICERS WHO RECEIVED
UNDERGRADUATE TRAINING IN INSTITUTIONS THAT TRAINED
ONE-HALF OF ALL OFFICERS IN THIS GROUP

(Total Who Received Bachelor's Degree or Equivalent=1,282)

	Number	Per Cent		Number	Per Cent
California	54	4.2	Cornell	21	1.6
Harvard	49	3.9	Illinois	21	1.6
Yale	34	2.7	Texas	19	1.5
Georgetown	33	2.6	Stanford	17	1.3
George Washington	31	2.4	U. of Washington	16	1.2
Michigan	31	2.4	City College, N.Y.	14	1.0
Princeton	28	2.2	Ohio State	14	1.0
Columbia	24	1.9	Pennsylvania	14	1.0
Chicago	23	1.8	Dartmouth	13	1.0
Minnesota	23	1.8	Other*	148	11.5
Wisconsin	22	1.7			
			Totals	649	50.3

* Includes 26 institutions, none of which contributed more than .9 per cent of the total.

TABLE VI. PERCENTAGE OF FOREIGN SERVICE RESERVE OFFICERS WHO RECEIVED
UNDERGRADUATE TRAINING IN INSTITUTIONS THAT TRAINED
ONE-HALF OF ALL OFFICERS IN THIS GROUP

(Total Who Received Bachelor's Degree or Equivalent=293)

	Number	Per Cent		Number	Per Cent
Harvard	21	7.2	Columbia	5	1.7
Princeton	14	4.8	Georgetown	5	1.7
California	12	4.0	Illinois	5	1.7
Stanford	10	3.4	Pennsylvania	5	1.7
Wisconsin	10	3.4	Michigan	4	1.3
Dartmouth	9	3.0	North Carolina	4	1.3
Yale	9	3.0	Virginia	4	1.3
Chicago	7	2.4	U. of Washington	4	1.3
George Washington	7	2.4	Other*	12	4.1
			Totals	147	50.0

* Includes five institutions, none of which contributed more than 1.0 per cent.

The first conclusion to be drawn from these tables is that the education of Foreign Service Officers is more concentrated in a few institutions than is that of the Foreign Service Staff, Foreign Service Reserve, or Department of State higher officials. Fourteen institutions trained half of the 1,306 career Foreign Service Officers, while 46 institutions trained half of the 1,282 Foreign Service Staff, 22 institutions half of the 293 Foreign Service Reserve officers, and 24 institutions half of the 3,451 higher officials of the Department of State.

TABLE VII. PERCENTAGE OF DEPARTMENT OF STATE OFFICIALS WHO ATTENDED INSTITUTIONS REPORTED BY HALF OF THIS GROUP

(Total Attendances at Institutions=3,451)*

Number Per Cent			Number Per Cent		
Columbia	254	7.4	Wisconsin	51	1.5
Harvard	236	6.8	Michigan	49	1.4
George Washington	180	5.2	Stanford	45	1.3
Yale	101	2.9	City College, N.Y.	44	1.3
Georgetown	99	2.9	Pennsylvania	42	1.2
American Univ.	98	2.8	Cornell	38	1.1
Chicago	89	2.6	Fletcher School	36	1.0
New York Univ.	75	2.2	Minnesota	34	1.0
Princeton	68	2.0	Other†	176	5.1
California	64	1.9			
			Totals	1,779	51.6

* Note that this list differs from the others. It represents attendance at institutions for any kind of degree or sometimes for no degree at all, while the other lists reflect receipt of the bachelor's degree or its equivalent.

† Includes six institutions, none of which contributed more than .9 per cent.

A second conclusion is that the same institutions recur in all the lists with striking regularity. Of the 14 that trained half of the career Foreign Service Officers, 10 appear in all the other lists. They are Harvard, California, Stanford, Yale, Princeton, Georgetown, George Washington, Columbia, Chicago, and Wisconsin. Dartmouth and City College of New York appear in all the lists save one.

The third conclusion is that no easy generalization can be made about the types of institutions that stand out, if that term can be applied to those which appear near the top of the lists although they do not contribute percentages large enough to be dominant. Location means little. Some of the Northeastern institutions draw students from all over the nation. In any case, of the 10 institutions that appear in all the lists, four are in the Northeast, two in the North Central region, and two in the West. Two are in the District of Columbia and their location may attract students who are already at work in government or who want to be near government while they attend college. Enrollment has no relevance. Perhaps two generalizations can be suggested. First, most of these institutions have reputations for strong social studies departments and especially for strong political science and international relations departments. Second, the training in most of them is broad in the liberal arts rather than narrowly vocational in the field of social studies, although Georgetown is known for a curriculum designed to prepare students especially for foreign affairs.

Degrees and College Attendance. Finally, under the heading of education, the biographies reveal the types of degrees received and attendance at college or university even though no degrees were received. Table VIII shows the percentage of officials in each category holding various degrees or attending college

without receiving degrees. Since the same individual may hold more than one degree or may hold a degree and still attend a college without taking further degrees, the percentages do not add up to 100.0.

TABLE VIII. PERCENTAGE OF OFFICIALS WITH COLLEGE OR UNIVERSITY TRAINING

	FSO	FSS	FSR	TCA	Dept.
B.A. or Equivalent	88.5	72.3	83.2	82.6	81.7
Law Degrees	5.3	13.8	13.1	2.9	14.8
Other Degrees	2.5	2.0	2.3	10.1	3.6
Attended College, No Degree	7.7	22.5	11.4	13.0	13.8
M.A. or Equivalent	28.8	23.3	37.7	43.5	35.8
Ph.D. Degree	4.6	6.5	17.6	13.0	13.7
Graduate Work, No Degree	25.1	17.1	20.5	21.7	23.9

The striking conclusion from Table VIII is that graduate work is so prevalent. The master's degree is held by 28.8 per cent of career Foreign Service Officers, by 23.3 per cent of Staff Officers, and by a much higher percentage of Reserve and Technical Cooperation officers and of officials of the Department of State. Ph.D. degrees are held by 17.6 per cent of the Foreign Service Reserve Officers. Probably this higher showing of graduate degrees in the Foreign Service Reserve and Technical Cooperation Administration is the result of specialization in commodities, techniques, or fields to be expected of these branches of the Foreign Service.

On the whole, one can conclude that insofar as schooling and degrees represent education, these officials are highly educated.

V. EXPERIENCE OUTSIDE THE FEDERAL GOVERNMENT

Equally significant with education is the type of experience foreign affairs officials have had. From the data available we can tell, for example, what proportion have known no other trade; what proportion have had more experience outside government than in it; how many have had only a few and how many a variety of experiences outside government; how many have had experience in other types of government work; and how many have lived abroad in one area long enough to become expert in the area.

First, in Table IX, we can see grossly the percentages of employees in the various categories who have had experience outside the federal government of more than five years, less than five years, or none at all. Five years is used not only to simplify the presentation but also because it perhaps represents on the average the length of time necessary to acquire the experience that counts in so many professions. Less than five years in professional work is almost transient labor; more than five is more maturing; five years is just about the time necessary to gain assurance in the knowledge and the practices of a professional vocation. At least we have so assumed in these calculations.

Education, i.e. school and college teaching or administration, stands out for

TABLE IX. PERCENTAGES OF OFFICIALS WITH EXPERIENCE OUTSIDE THE FEDERAL GOVERNMENT, BY YEARS OF EXPERIENCE

	FSO	FSS	FSR	TCA	Dept.
More than 5 yrs.	20.8	25.3	31.7	62.0	32.3
Less than 5 yrs.	44.7	37.3	32.9	15.0	33.7
No Experience	34.5	37.4	35.4	23.0	34.0

Table X shows how varied are the fields in which officials have had experience outside the federal government.

TABLE X. FIELDS OF EXPERIENCE OUTSIDE FEDERAL GOVERNMENT: PERCENTAGE DISTRIBUTION OF OFFICIALS WITH ANY EXPERIENCE

	FSO	FSS	FSR	TCA	Dept.
Education	26.4	19.4	27.5	18.0	26.7
Films, Press, Radio	11.0	15.1	21.5	.7	21.9
Business	16.8	14.2	13.7	13.7	9.7
Professions	10.0	11.2	10.2	18.7	16.4
Clerical Work	13.3	18.5	7.3	12.2	17.9
Banking	5.5	5.0	4.2	.7	3.9
Research	2.9	1.8	5.1	1.5	*
Foreign Governments & International Organization	4.3	2.0	4.2	7.2	*
State & Local Governments	2.8	5.6	3.3	17.3	*
Agriculture, Mining, Lumber	1.7	2.0	.5	4.3	*
Social Work	2.9	3.3	1.8	5.0	*
Other	2.4	1.9	.7	.7	3.5

* Included in "Other" category because too small to be significant.

all of the groups of officials, so much so that it is perhaps the only single field that can be said to be a main source of experience outside the federal government. Film, press, and radio work, second on the list, appears here because at the time the analysis was made the United States Information Agency, which administered the overseas information program, was a part of the Department of State. It became an independent agency in 1953. The significance of this experience remains as true for this new agency as when it was in the Department. Officials directing propaganda work might be expected to be drawn from work with the mass media.

Except in the case of these two fields, foreign affairs officials who have had any experience outside of government come from such a variety of experience that it is impossible to say that they are predominantly from any one field. Not even education can be said to be dominant. Only about a fourth of the officials have had experience in education. On the whole our officials do not come mainly from business, banking, law, or any other field.

Add to the variety of outside experience the fact that a majority have had either no experience or less than five years experience in any of the fields, as

shown in Table IX, and it becomes clear that no one vocational group dominates the handling of American foreign affairs. We have instead a group of public officials experienced mainly in government but some with experience in a variety of nongovernmental fields.

VI. EXPERIENCE IN OTHER FEDERAL AGENCIES

Also relevant to the kind of experience officials have had is the extent of their work in federal agencies other than the Department of State and the Foreign Service. Foreign affairs are to some degree a concern of all federal agencies. The Department of State and the Foreign Service are expected to represent the whole federal executive when they conduct foreign relations. If they draw their higher officials from other agencies, more inter-agency understanding might be expected or, on the contrary, the use of people from other agencies might dilute the expertness of long-experienced and trained specialists in foreign affairs.

TABLE XI. DISTRIBUTION OF POSITIONS IN FEDERAL AGENCIES OTHER THAN DEPARTMENT OF STATE OR FOREIGN SERVICE

	FSO	FSS	FSR	TCA	Dept.
Number of Positions	537	1,835	357	81	2,042
Number of Officials	1,475	2,893	512	100	2,322
Number of Positions per 100 Officials	36.4	63.4	69.7	81.0	87.8

The data in Table XI show that Foreign Service Officers have had relatively less experience in other federal agencies than have the Staff, Reserve, Technical Cooperation, or Department of State officials.

The duration of experience is also relevant. Without going into detail, we can say that in most cases experience in federal agencies other than the Department of State and Foreign Service was for periods of less than five years.

In the case of Foreign Service Officers, we should point out that in addition to the work in other federal agencies shown above, 61 officers, or 4.1 per cent of the officers for whom data on this point were available, had been detailed to the National War College or other service schools; and 103, or 7.0 per cent, had been assigned to the Foreign Service Institute or to universities for training.

Military service is a special kind of experience. Usually it has little relevance to work in civilian life, but sometimes it does. In any case it is experience in the lives of men and women and has its lessons. We should record it without comment or conclusion concerning what it means. The percentages of veterans, the majority from World War II, are: Foreign Service Officers 50.7; Foreign Service Staff 40.8; Foreign Service Reserve 38.0; and Department of State 36.8. Sufficient data were not available for Technical Cooperation Administration.

VII. EXPERIENCE IN AREAS

One reason for having a career foreign service is that its officers can become expert in the cultures, politics, and economies of other areas. In Table XII we

examine the duration of assignment of Foreign Service Officers in the various regions of the world. This analysis is limited to the career Foreign Service Officers because the other branches of the Foreign Service have not yet been in existence long enough to permit analysis. For a similar reason the analysis is confined to career officers of Class IV and above. Officers in Classes V and VI have not been in the service long enough to become expert. Note that again a five-year term in one region is assumed to be the reasonable time required to become a specialist. This can be argued with added conviction when we are speaking, as here, mainly about areas, or regions that include usually more than one nation. They are the areas by which the Department of State's work in political relations is organized. Only in a few instances, for geographical or political reasons, is there a division in Washington devoted to relations with a single nation.

TABLE XII. NUMBER OF ASSIGNMENTS ABROAD OF FOREIGN SERVICE OFFICERS,
CLASS IV AND ABOVE, BY REGION

Region	0-5 Yrs.	6-10 Yrs.	11 or More Yrs.
Eastern Europe	113	12	2
Central Europe	137	22	6
Southern Europe	159	18	4
Northern Europe	151	11	4
Western Europe	287	77	20
China	80	28	27
Northeast Asia	61	25	2
Southeast Asia	95	9	1
Philippines	38	2	1
Greece, Turkey, Iran	86	7	1
Near East	78	13	3
Southern Asia	92	7	1
Africa	137	21	9
Mexico	125	20	3
Caribbean	153	14	1
Central America	146	16	1
Brazil	84	10	2
River Plate	103	12	1
North & West Coast, South America	162	17	4
Australia & New Zealand	58	11	1
Canada	167	23	2
Total Assignments	2,512	375	96

We are dealing in Table XII, to repeat, with assignments and not men. In other words, the number of assignments received by all Foreign Service Officers of Class IV and above is distributed in the above table according to the duration of time spent in each area. The result is a reflection of the relatively few area specialists developed by more than five years spent consecutively in an area. In percentages, 84.2 per cent of all the assignments in the careers of these

officers of Class IV and above has been for less than six years in any area; 12.6 per cent for 6-10 years; and 3.2 per cent for 11 years or more.

At best only those officers who have received assignments of six, or more years' duration in an area can be called specialists in that area. Such officers made up just about 15 per cent of the total at work in April, 1952. All officers may have acquired skills in the routine work of a mission, in the writing of reports, or in the administration of immigration laws, but they are not skilled in knowledge of the sort that comes from prolonged observation or study of an area.

VIII. YEARS OF EXPERIENCE IN THE DEPARTMENT OF STATE

A final clue which the skeleton biographies afford as to the kind of foreign officials we have is the amount of experience these officials have had in this kind of work. Some of them have had experience in foreign relations, no doubt, in their work outside government or in their work with federal agencies other than the Department of State or the Foreign Service. We cannot identify these individuals, however, from their biographies. One group we can say with assurance is devoted to work in foreign relations: the one enfolded by the Department of State and the Foreign Service. In Table XII we presented data on the duration of area assignments of Foreign Service Officers. In Table XIII we report the length of service within the Department of State of those for whom the information is available. This can be called the measure of experience in foreign affairs for those in Washington rather than abroad.⁶

TABLE XIII. YEARS OF SERVICE IN THE DEPARTMENT OF STATE

Years	Number Reported	Percentage of Total	Cumulative Percentage
0-1	412	17.8	—
2	344	14.8	32.6
3	289	12.4	45.0
4	176	7.6	52.6
5	139	6.0	58.6
6-10	754	32.5	91.1
11-15	67	2.9	94.0
16-20	46	2.0	96.0
21-25	37	1.6	97.6
26-30	27	1.1	98.7
31 or more	31	1.3	100.0
Totals	2,322	100.0	

⁶ The United States is one of the few nations that still separates its "foreign office" personnel from its foreign service. Surveyors in recent years, the Hoover Commission, the Rowe Committee, the Wriston Committee, have recommended a merger. By the time this appears, a merger may have been started. On the other hand, it may not. Much can happen, as it has happened, between the issuance of a report with recommendations and the final outcome. For the recommendations, see Commission on Organization of the Executive Branch of the Government, *Foreign Affairs, A Report to the Congress* (Washington,

The most striking revelation in Table XIII is that 58.6 per cent of the policy-making officials of the Department of State have been working in this department only five years or less. Even so, this is fewer than the 80 per cent who were found in the similar computation of officials listed in 1948.

We might ask whether the topmost among these officials are not long experienced; for if they are, then as leaders they may supply the knowledge and poise that comes from long experience in foreign relations. Top executives for this purpose are defined as chiefs of divisions or higher in the hierarchy. These top executives do tend to have more experience than all policy-making officials as a group, but it is still true that many do not have much experience in the Department. Almost half of the top executives have had 6-10 years experience in the Department, compared to about one-third of all the officials. Still 41.3 per cent of the top executives have had five years or less of total service in the Department of State. While this is a smaller percentage than the 58.6 per cent of all officials who have had the same brief experience, it indicates nonetheless that a considerable number of the top executives have had relatively slight experience in the Department.

IX. CONCLUSION

The people who handle American foreign affairs in the Department of State and Foreign Service may be characterized as follows:

1. They come from a variety of regional and educational backgrounds, with the exception that the private preparatory school is represented among them in larger proportion than in the total population. The wide distribution of their college training tones down any emphasis that might be given to the rather high percentage of officials trained in private preparatory schools. The facts do not support the assumption that our officials in this work are predominantly the products of "finishing schools" and a few Ivy League colleges.

2. Very few women have reached higher levels in this field.

3. Generally speaking these officials are relatively young or middle-aged. Only about 15 per cent are between 50 and 60 years of age and only about 3 per cent are above age 60. This work is handled neither by older men who might have become tired, infirm, or too set in their ways, nor by elder statesmen who might have gained in acquaintance, poise, and wisdom.

4. One-third of these officials have had no experience at all outside the Department of State and Foreign Service. Of the two-thirds who have had some experience, somewhat more than one-half have had less than five years of such experience. The fields in which these officials have had experience are widely varied, from education to banking, from professions to clerical work, from press, radio, and films to international organizations and foreign governments. Experience in other federal agencies is about the same in amount and variety as in non-

G.P.O., Feb., 1949), pp. 61-68; James H. Rowe *et al.*, *An Improved Personnel System for the Conduct of Foreign Affairs* (Washington, Dept. of State, 1950); U.S. Dept. of State Publication 5458, *Toward A Stronger Foreign Service* (Washington, G.P.O., June, 1954), pp. 25-35.

governmental fields. We can conclude, therefore, that American officials in foreign affairs bring to their present work a variety of experience from other fields. This fact is an asset when we consider the great variety of subjects that make up present-day foreign relations. Officials who have had varied experiences may well be more resourceful in their work in foreign affairs than those who have not.

5. At the same time, as an offset to the variety of background, it must be concluded that we have no long-experienced, highly skilled group of professional diplomats in charge of American foreign relations. We have instead in the Department of State and Foreign Service (in a majority of the policy-making positions) officials who are new in this kind of work; who must learn as much as possible while rushing headlong in the job, making decisions as they run; and who do not have many elder statesmen to guide them.

For the Department of State, brief experience in the Department is conspicuous. For the Foreign Service Staff and Reserve, both new since 1946, brief experience might be expected, although some of these officers were in the Foreign Service Auxiliary or in other federal agencies abroad during World War II.

If we turn to the career Foreign Service Officers to discover expertness, we find that their terms of service in particular world areas are usually too short to allow them to become area specialists in any true definition of the term. Career officers may know the practices of diplomatic and consular work, but with few exceptions they can hardly claim to be experts in areas or in the large politics of general international relations. A mere knowledge of techniques is not enough to justify calling most Foreign Service Officers skilled professional diplomats; or at any rate they are not experts in the same sense as are specialists in internal medicine, professors of science or letters, or lawyers, all of whom, to be qualified, must go far beyond an understanding of the techniques of diagnosis, research, or the preparation of briefs to an understanding of both the details and the totality of their subjects. Perhaps the strongest reason for merging domestic and overseas personnel and for wiping out the present distinctions in the foreign service is the fact that, except for a knowledge of routine techniques, not enough difference exists between Foreign Service Officers and other people in foreign affairs to justify keeping the groups separate.

One can argue on both sides as to the desirability of having inexperienced people in charge of our foreign affairs. In a large sense, the amateur may be more reflective of popular will and thus more democratic. He may be more adaptable to new needs. He may also, on the other hand, make repeated errors of judgment because he has not learned his work in the depth required for sound decisions. But no matter what position one takes on the merits, it is pointless to argue at present that the *experts in foreign relations* should be given much more voice than they have in the making of policy decisions. The evidence shows that we really have only a minority of officials who can be called experts in foreign affairs.

CHARISMA IN THE 1952 CAMPAIGN*

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I

The term charisma—miraculously-given power—was transferred by Max Weber from its original religious meaning to politics. He described it as “the absolutely personal devotion and personal confidence in revelation, heroism, or other qualities of individual leadership.”¹ He contrasts charisma with leadership based on custom and tradition or on competence related to “rationally created rules” of law. The charismatic leader is thus the one whose claim to rule is neither as a perpetuator of traditional values nor as one who resolves conflicting interests by reasonable and just means but as one endowed with superhuman powers to solve political problems. In the abstract, pure case he is seen by his followers as being *all-powerful*, *all-wise*, and morally *perfect*.

One of the outstanding characteristics of charismatic rule is its mass base. Unlike the palace revolutionary or the condottiere, the charismatic ruler is not content with gaining and maintaining control merely over the machinery of government—the police, administrative offices, legislature, and courts. He consciously seeks to gain control over the individual citizen, not just by the threat of force but perhaps more significantly by appealing for affirmative and enthusiastic devotion. The leader seeks not passive acceptance of his rule but an active identification of the citizens’ needs and expectations with his own and those of the nation. The political demands of individuals become uniform, at least on the manifest level, and are absorbed in and merged with the economic, social, and ethnic demands of the nation, as these are expressed by the leader. A greater portion of the individual’s life finds its expression in politics. The charismatic follower becomes an undifferentiated, cancerous cell in the body politic.

Charisma is therefore not a characteristic of leaders as such but a relationship between leader and followers. It depends both on the construction by a leader and his associates of an image of him as infallible, omniscient, and incorruptible and on a positive, active response to this kind of image-building by those who are predisposed toward such leadership. The “complete” charismatic

* This analysis is derived from data gathered in the study of the 1952 presidential campaign and election that was made by the Survey Research Center of the University of Michigan. The general study was under the sponsorship of the Committee on Political Behavior of the Social Science Research Council under a grant from the Carnegie Corporation. The study is published as *The Voter Decides*, by Angus Campbell, Gerald Gurin, and Warren H. Miller (Evanston, Ill., 1954). I wish simultaneously to thank very warmly these three people and others who advised on and facilitated this analysis and to free them, the SSRC Committee on Political Behavior, and the Carnegie Corporation of any responsibility for the data and conclusions herein presented.

¹ *From Max Weber: Essays in Sociology*, ed. H. H. Gerth and C. W. Mills (New York, 1946), p. 79.

follower is oriented in politics toward candidates in a particular way, rather than toward parties or issues. He tends to divide political figures on the basis of strength or weakness, omnicompetence or utter incompetence, righteousness or iniquity. He is unable to see any but good qualities in the leader he accepts or to see any good qualities in the one he rejects. Although strong liking for a candidate is not in itself evidential, for charismatics the emotional attraction of a candidate is predominant and is coupled with the feeling that the leader is the incarnation of all virtues.

In contrast, the non-charismatic person who is nevertheless oriented toward leader rather than party or issues tends to evaluate candidates quantitatively, saying that one is generally better than the other—rather than that one is good, the other bad—and assessing them in terms of specific characteristics indicative of relative competence, skill, experience, or integrity.

Pure charismatic leaders and followers are ideal types unlikely to be found in actual situations. There are doubtless some charismatic tendencies in all candidates for popularly elected office above the level of sanitation supervisor. The well-known panegyrics of those who introduce candidates at public gatherings as often as not are full of hackneyed phrases suggesting the power of their men to move mountains, stop the tides, and gain or regain Utopia within two weeks of taking office. There are doubtless some tendencies in all voters to believe that the candidate of their choice is superhuman and that his opponent is infrahuman. For, campaign hyperbole aside, the phenomenon of strong leadership is perhaps only rarely divorced completely from the will to be or to follow a leader who will make no mistakes and suffer no defeat at the hands of malignant, real enemies and hostile, shadowy forces. In politics, neither St. George nor the dragon is ever quite dead.

Charisma in a nation becomes crucial when it is the dominant characteristic of leaders and a "substantial" number of followers. It is hard to say how large a proportion of followers "substantial" is. Without the interposition of other political forces, a majority of the voting population would be needed to establish government by charisma. The tendency of strongly charismatic leaders to seek power by the use of violence, intimidation, and fraud indicates their deep-seated reluctance to rely even primarily on persuasion and their recognition, perhaps, that in no society at any time can enough people be trusted to believe in the infallibility of any one man.

The political institutions, the degree of territorial integration, and the facilities for communication are also related to the incidence of charisma. Thus, in periods of the Middle Ages when vast numbers of people were in despair because of depredations of famine and disease, the absence of the basis for mass political mobilization of the populace effectively precluded the emergence of charismatic political leaders on more than an immediate, essentially face-to-face level in towns and cities. In those modern Western states where both political traditions of orderly solution of problems and the institutionalized patterns of limited government are strong and effective, again the emergence of charisma is made difficult despite the fact that a mass base is available.

Because of the great variability of leaders, followers, and the situations in

which they interact, the same leader may be seen by particular individuals as charismatic or non-charismatic. During crisis, when more individuals are more uncertain of what should be done in politics, the number of individuals searching for charismatic leaders will increase. A charismatic leader in non-critical times will have relatively less chance to gain political power because of the dearth of individuals who will respond to his clarion call. The failure of charismatic leaders to appear during a crisis period will also frustrate the spread of charisma.

The charismatic phenomenon in a large modern state may therefore be regarded as a function of the interaction of at least these five determinants: (1) the existence of leaders predisposed to make a charismatic appeal; (2) the prevalence of followers predisposed to respond to this appeal; (3) the weakness or strength of political traditions and institutions that inhibit the solution of problems through supermen; (4) a degree of political integration that causes people to turn to the government rather than other institutions (such as family, church, union, service club, or local government) for problem solution; and (5) the existence of crisis.

This last determinant, which has already been mentioned, merits further elaboration. Crisis that has political relevance may arise from at least three different kinds of source. It may result from a feeling of insecurity or anxiety with respect to basic human needs such as food, shelter, health, and physical survival. Chronic failure to satisfy these needs may result in such complete individual preoccupation with staying alive and well as to preclude effective joint political action. The situation in which these needs are satisfied to the extent that time and energy are available for political action, but in which there is persistent fear of the failure to meet these needs, is much more portentous of crisis.

Crisis may also result from a sense of frustration of demands on a level different from that related to the support of life. Despite relative prosperity and health, there may, for example, arise a situation in which there is widespread dissatisfaction with the control structure of the society. Even though there may be basic physical security for most individuals, if a substantial portion of them feel that they are deprived of a fair share of the goods produced in the economy by those who control goods distribution, they may unite politically for the overthrow of the governors. They may unite primarily to overthrow political domination by foreigners, as in the case of colonies rebelling against the mother country—even though economic hegemony by foreigners may continue to be tolerated or ignored.

A third source of crisis is the persistence of unresolved conflict between forces seeking dominance intra- or internationally. This source, which is distinguishable from but perhaps ordinarily associated with one or both of the others mentioned, produces crisis to the extent that people and leaders feel no longer able or willing to tolerate political irresolution. A prolonged internal revolutionary situation or one in which a reform government fails to end deeply divisive conflict within the country may create a crisis. A prolonged conflict between governments, with or without intermittent periods of peace, may have like effect.

One feature of crisis—particularly of the third sort mentioned—that merits

emphasis is that it need not involve conflict which divides the society into two warring camps on an economic, class, or other basis. The conflict may not be between capital and labor, tenant farmers and landlords, one region and another but between two small factions struggling for control of the government—factions operating outside the accustomed or the legal techniques of seeking such control. Or the conflict may be a quiet one within individuals themselves who, regardless of class or religious or traditional party differences, are united in their growing intolerance of perceived incompetence or inadequacy of established rulers and established political rules. These individuals are torn within themselves as to whether to turn to new leaders operating in accord with traditional or rational patterns of political action or new leaders whose appeal is: follow me and turn over to me irrevocably the responsibility for making the decisions on those problems which I say are problems and on which I shall establish and administer policy through control of the government, for I am strong and through me you will get strength.

The political phenomenon of charisma is new only in name. Its demagogic and irrational basis was described by Plato in the discussion of rhetoric in the *Gorgias*. The tyrants in the Greek city-states, Alexander the Great and the succession of Roman Emperors starting with Augustus, were to some extent dependent on charisma for their rule. Augustus appears to have tolerated and unofficially encouraged the building of his popular image as a superhuman. Three centuries later the Emperor Aurelian had medals of himself struck with the inscriptions "Lord" and "God." More recent charismatic rulers, like Napoleon I, Hitler, Stalin, and Huey Long have avoided the label "god," being content with possessing, in the minds of their followers, more than mortal but perhaps only demigodly powers.

Charisma seems most likely to occur during periods when the force of neither tradition nor reason appears to be adequate to cope with mounting political crisis. In the course of the French Revolution, when ancient monarchical tradition had failed and its successor, Reason, brought only evident anarchy, a superman was able to unite France in the pursuit of its supposed destiny to rule all of Europe. Similarly, in Germany, after the breakdown of Imperial rule and even pre-Bismarckian tradition, came the seemingly impotent Republic with its rule of law through the Weimar constitution and parliament. Again a superman gained control, in the pursuit of a similar, even more ambitious destiny.

II

The domestic and international situation during the 1952 national election campaign was a crisis of the sort resulting from persistent, unresolved conflict. There was relatively little insecurity about basic needs of food, shelter, and health—and only the memory of the depression. There was no great outcry to put down malefactors or even accumulators of great wealth. But war, the threat of war, and the memory of two wars which was reinforced by the ongoing Korean conflict, were all factors gnawing at individuals' peace of mind like an

eagle plucking daily the liver of Prometheus, the Titan who stole fire from the gods to benefit mankind. A comparison of this crisis period with others in the United States and elsewhere is impossible in terms of its psychic impact on the general public. One can hazard the guess that as a crisis the years after World War II and the Korean conflict do not seem so capable of producing a sense of individual insecurity as the shock of the depression years. Nevertheless the vagueness and pervasiveness of the current conflict, involving as it does the fear of all-out war, the fear of Communist encirclement, the real and—even worse—the imaginable danger of domestic subversion, and the socio-economic threat implicit in the term communism itself, are strong enough to elicit more than the minimum number of charismatic responses that normalcy would entail.

The 1952 candidates for the presidency offered considerable opportunity for charismatic response. Unlike Truman and Dewey in 1948, Stevenson and Eisenhower were dramatic candidates, both expressing a sense of destiny and both successful—as the size of the vote indicates—in evoking widespread and enthusiastic support. Eisenhower in particular had characteristics which made it possible for those in search of an infallible leader to find comfort in attaching themselves to him. His record as supreme commander of allied forces during World War II, after a swift rise from relative military obscurity; his prestigious presidency of Columbia University; and his successful inauguration of the North Atlantic Treaty Organization—all indicated a capacity for leadership in such diverse fields as military command, educational administration, and diplomacy. For those who so chose to regard his record, these and other achievements could be the evidence for gifts of leadership far beyond those of any mere mortal.

The study of the 1952 election undertaken by the Survey Research Center of the University of Michigan provided an opportunity for analysis of charisma as a factor influencing the way people voted for president. On the basis of a sample drawn by area probability techniques, 1799 adults² living in private dwellings were interviewed between mid-September and the election on November 4. Of these 1799 individuals, 1644 were successfully reinterviewed after the election. Among the many questions asked in the pre-election interview was a battery of four on the candidates. These four questions asked what there was about Stevenson and Eisenhower that might make the respondent want to vote for or against each of the candidates. When combined with responses to several other questions, it was possible by a process outlined below to select those cases³ in which the factor of charismatic perception of one candidate or the other was evidently predominant over other grounds for evaluating the candidates.⁴

² An additional 222 in the Far West were interviewed before the election but were deliberately dropped from the post-election sample. These 222 are not here considered because of the need for information available only in the post-election questionnaire.

³ The selection procedure is described in the Note on Method at the end of this article.

⁴ The interview questions used to derive evidence of charismatic responses toward the

Out of this sample of 1799 respondents, who within the limits of sampling error constitute a representative national cross-section of the adult population living in private dwellings, there were only 32 cases in which three judges agreed unanimously that charisma was predominant in the candidate perceptions.

The fact that less than two per cent of even a carefully chosen national sample gave clear evidence of a charismatic orientation is of only tentative significance. Latent charisma may be considerably more widespread among the general public. The responses available in the interviews may have for various reasons failed adequately to report the phenomenon. For one thing, analysis of charisma was not a primary objective of the election study undertaken by the Survey Research Center. For another, there is considerable variation in the fullness of the recorded responses, reflecting presumably some variation in the proportion of the spoken answers that were put down on paper and some variation in the degree of rapport between interviewer and respondent. It is also possible that some respondents felt strongly a charismatic attachment to one or the other of the candidates but were unable or unwilling to express such feeling.

Nevertheless, the predicted relationships that are described below in most instances proved to be considerably closer, considerably more significant statistically, on the basis of the 32 cases finally selected for analysis than on the basis of a preliminary analysis using 252 cases chosen solely because respondents used such expressions as "he is a real leader," or "he is strong and

candidates were:

- a. "I'd like to ask you what you think are the good and bad points about the two parties. Is there anything in particular that you like (don't like) about the Democratic (Republican) party?" If necessary: "What is that?" (This is a condensed version of the four actual questions.)
- b. "Do you think it will make a good deal of difference to the country whether the Democrats or the Republicans win the elections this November or that it won't make much difference which side wins?" If the answer was "Yes": "Why is that?" If "No": "Why do you feel it won't make much difference?"
- c. "Now I'd like to ask you about the good and bad points of the two candidates for president. Is there anything in particular about Stevenson (Eisenhower) that might make you want to vote for (against) him?" If necessary: "What is it?" (This version is similarly condensed from the actual.)
- d. "Now, adding up the good points and the bad points about the two candidates, and forgetting for a minute the parties they belong to, which one do you think would make the best president?"
- e. "Some people say that Eisenhower is not a real Republican. What do you think about this? Is he the kind of man that *you* think of as being a real Republican?"
- f. "What about Eisenhower's ideas and the things he stands for? Do you think that he is pretty much the same as most other Republicans or is he different from them?" If necessary: "Why do you say that?"
- g. (After asking for whom the respondent planned to vote:) "What would you say is the *most important reason* why you are going to vote for Stevenson (Eisenhower)?"
- h. (If the respondent has said he was not going to vote:) "What would you say is the *most important reason* why you would vote for Stevenson (Eisenhower)?"

decisive," or "I have confidence in him." The 32 cases, in other words, gave evidence of being a much more homogeneous category on the charisma dimension than a category eight times as large chosen because of the use of words and phrases that could have—but in fact did not have—clearly charismatic connotation. The evidence is strong that charisma, at least in a manifest form, was not a major factor determining the candidate choice of the very large majority of the respondents interviewed.

All 32 of the cases involved charismatic perceptions of Eisenhower. No clear-cut cases of Stevenson-oriented charisma were found. Of these 32 cases, 26 voted for Eisenhower, four said they would have voted for him but failed to vote. One of the 32 voted for Stevenson.⁵ (And one was not reinterviewed after the election.) For those who were charisma-prone, it is therefore evident on two scores that Eisenhower and not Stevenson was overwhelmingly the candidate to whom they turned. By no means all of these 32 individuals were traditional Republicans. Nine reported voting Democratic in 1948, 14 said they voted Republican, and nine either didn't vote in 1948 or their vote was not ascertained.

It is possible that additional charisma-oriented people would have been found on the basis of responses to the interview question about vice-presidential candidates. This was not attempted because probably few people see the vice-presidential nominee as a potential president and there was only one question in the interview on the basis of which perceptions of Nixon could be assessed.⁶ It would thus be difficult to determine whether Nixon's popularity among a fourth of the sample was charismatic or was of the relatively apolitical sort that might be accorded any national hero.

III

To explain why some individuals have a relatively stronger need than others for infallible political leaders, we must hypothesize differences in individual personality structure and environment that will produce differential reactions to aspects of politics other than leadership as such. Being exposed by and large to substantially the same political phenomena—the same threat of war, the same threat of Communist encirclement and subversion, the same issues of inflation, taxes, corruption, etc.—those who react charismatically to leaders must do so because they differ from others in relatively basic needs and in ways of structuring the external world.

The determinants of these differences are doubtless numerous. Among the

⁵ Eleven additional borderline cases (nine pro-Eisenhower and two pro-Stevenson) were rejected because the evidence satisfied only two of the three judges that charisma was the chief factor in the respondent's perception of the candidates. Thirty more cases (all pro-Eisenhower) were rejected because only one judge regarded the evidence of charisma to be adequate. See the Note on Method for further explanation. The Stevenson voter is discussed in note 10 below.

⁶ The question was: "How about the candidates for vice-president: aside from their parties, do you have any strong opinions about either of them?" If necessary: "How is that?"

causal factors may be a deep-seated sense of insecurity because of a particular kind of upbringing or other formative experiences with parents and others during childhood and adolescence, unusual upward social mobility aggravated by a failure to achieve actual status corresponding to aspirations, or even traumatic experiences such as prolonged unemployment or the loss of son or spouse in consequence of war or automobile accident. Determinants such as these, or actual socio-economic status (including income, education, and occupation), could not be examined because of the complete absence of such data in the interviews or the quite meaningless distribution of these variables among the 32 cases analyzed.

But it is unnecessary to find the causes for a particular aspect of personality structure which results in charisma in order to recognize that the pattern exists and has manifestations in politics other than in the reaction to leaders. The following hypotheses as to the charismatic aspect of personality structure are suggested.

1. The individual with charismatic tendencies is less able to tolerate indecision and crisis.
2. He is less able to maintain ambiguous perceptions—the phenomena he observes must be classified. He is, in other words, more likely to make categoric judgments.⁷
3. He is more likely to believe that other people share his opinions and act as he acts.
4. He is less likely, because of his preoccupation with leaders, to have strong ties to political parties.

These are hypotheses on which data are available from the election study.

The relative intolerance of the charismatic follower for indecision and crisis is posited on the assumption that he is an exceptionally insecure, anxious, or frustrated individual and in consequence incapable of tolerating political conditions which aggravate his sense of insecurity or frustration. There is a sort of restlessness about uncertain situations, a relatively strong demand that something be done to alleviate the uncertainty. The demand is in part for action as such rather than for a particular kind of action. This is not to say that the charismatic person is unconcerned with the kind of action taken, but that his tensions will be *more* relieved if any action is taken and that he will be *less* concerned with appraising the possible consequences of alternative kinds of action than will non-charismatic individuals.

The most striking evidence of this phenomenon appears in comparing the attitude of charismatic and non-charismatic people on the question of what should be our current policy in Korea. In contrast to the 44 per cent of the Republican non-charismatics who said we should take a stronger stand and bomb Manchuria and China and the 38 per cent of these who said we should keep on trying to get a peaceful settlement, 63 per cent of the Republican charismatics said we should take a stronger stand and 17 per cent favored

⁷ See Else Frenkel-Brunswik, "Intolerance of Ambiguity as an Emotional and Perceptual Personality Variable," *Journal of Personality*, Vol. 18, pp. 108-43 (Sept., 1949).

continued efforts toward a peaceful settlement.⁸ Table I presents the total picture.⁹

TABLE I. RESPONDENT'S PREFERENCE FOR U.S. POLICY IN KOREA*

	Republican Charismatics (N = 30)	Republican Non-charismatics (N = 544)
Pull out	7%	10%
Keep trying for peaceful settlement	17	38
Take stronger stand	63	44
Either pull out or take stronger stand, respondent refusing to make choice	7	1
Don't know	0	4
Not ascertained	7	3

* The question asked was: "Which of the following things do you think it would be best for us to do *now* in Korea? Should we: (1) Pull out of Korea entirely? (2) Keep on trying to get a peaceful settlement? (3) Take a stronger stand and bomb Manchuria and China?"

Note: Because of rounding, percentages do not always add to 100.

Further evidence of intolerance for indecision among the charismatic respondents comes from an examination of the relative promptness with which they made up their minds on the candidates. The promptness is apparent and highly significant whether one considers only Republican charismatics or the entire category. Four out of five of the charismatics after the election reported having decided to vote for Eisenhower before or during the Chicago conventions; only about half of the non-charismatics had decided by then.

Similarly, far fewer of the charismatics reported that they had considered voting for the candidate they rejected at the election. Although one out of five non-charismatic Republican voters said he had considered Stevenson, only one charismatic Republican respondent out of 26 who voted for Eisenhower said he had considered Stevenson. The difference is again highly significant.

⁸ Despite the small number of cases, these differences are highly significant statistically; significant, that is, at the one per cent level of confidence using a Chi-square test. This means that there is only one chance in a hundred that the differences between the two categories of individuals are due to chance. The Chi-square formula used here and elsewhere in this article, except where another formula is given, is the basic one of $\chi^2 = (o - e)^2 / e$. Since both difference between the two categories and the direction of difference were predicted here, the level of significance is doubled here and elsewhere in the article where direction was predicted.

⁹ Respondents who voted or would have voted Republican tended more often than Democrats either to say we should pull out of Korea or to say we should take a stronger stand. Since being Republican in terms of the 1952 vote is thus related to this policy issue, this factor was controlled in Table I by eliminating Democrats and comparing only Republican charismatics and non-charismatics. This practice is followed in all comparisons where there is evidence that voting or intending to vote Republican is related to the response given to a particular question. In such cases, the charismatics and non-charismatics are labeled Republican in the tables.

TABLE II. TIME OF VOTING DECISION*

	Republican Charismatics (N=30)	Republican Non- charismatics (N=544)	All Charismatics (N=31)	All Non- charismatics (N=830)
Before or during the Chi- cago conventions	80%	53%	77%	51%
After the convention	7	22	10	24
Didn't vote	13	21	13	23
Don't know	0	†	0	†
Not ascertained	0	3	0	2

* The question was: "How long before the election did you decide that you were going to vote the way you did?"

† Less than one-half of 1 per cent.

Note: Because of rounding, percentages do not always add to 100.

cant and the proportions are about the same for all charismatic and non-charismatic voters.¹⁰

The second hypothesis concerns the intolerance of the charismatic follower for ambiguity of perception, just as the first concerns his intolerance for am-

TABLE III. CONSIDERATION OF OTHER CANDIDATES*

	Republican Charis- matics (N=30)	Republican Non-charis- matics (N=544)	All Charis- matics (N=31)	All Non-charis- matics (N=830)
Voted for Eisenhower, considered Stevenson	3%	15%	3%	10%
Voted for Eisenhower, did not consider Stevenson	83	63	81	42
Voted for Stevenson, considered Eisenhower	0	0	0	9
Voted for Stevenson, did not con- sider Eisenhower	0	0	3	15
Other voting possibilities	0	1	0	1
Didn't vote	13	21	13	23
Don't know or not ascertained	0	†	0	†

* The question was: "Did you ever think during the campaign that you might vote for (opposite candidate)?"

† Less than one-half of 1 per cent.

Note: Because of rounding, percentages do not always add to 100.

¹⁰ Curiously, but consistently with this hypothesis, the one charismatic respondent who voted for Stevenson said after the election that he had never considered voting for Eisenhower and that he had decided to vote as he did "three months at least" before the election. When he was first interviewed on September 25, just six weeks before the election, he said he was going to vote Republican, had only favorable things to say about Eisenhower, and unfavorable things about Stevenson.

biguity of action or for what he regards as inaction or indecision. The two hypotheses are as related to and as separate from each other as are action and perception in the individual. Table III, discussed above, represents the borderline between perception and action and is relevant to both hypotheses. The second hypothesis relates more strictly to the way the charismatic follower goes about forming his judgments. It says that he tends to see the world in blacks-and-whites, to fit persons and ideas into compartments, and generally to regard the withholding of judgment as being as unpleasant as the withholding of action.

The general tendency to view the political world in blacks-and-whites was measurable in the election study by a comparison of the pattern of responses on the general party and candidate questions in which the respondent was asked to state what he regarded as the good and bad points about each party and candidate.¹¹ As might be expected, some respondents had favorable and unfavorable things to say about both parties and both candidates. Others had only favorable things to say about one candidate or one party. Others had only unfavorable things to say about one candidate or party. The different patterns are presumably related to several things, including level of political interest and information, political involvement, party preference and voting preference for example. The patterns are related also to charisma.

For present purposes, those charismatic and non-charismatic respondents (labelled least black-and-white in the tables to follow) who had both good and bad things to say about both Stevenson and Eisenhower were compared with those (labelled most black-and-white) who had only good things to say about one candidate and bad about the other. A similar comparison is presented on

TABLE IV. PATTERN OF RESPONSE ON CANDIDATES

	Republican Charismatics (N = 30)	Republican Non-charismatics (N = 544)
Least black-and-white	3%	13%
Most black-and-white	50	27
Other response patterns	47	60

TABLE V. PATTERN OF RESPONSE ON PARTIES

	Republican Charismatics (N = 30)	Republican Non-charismatics (N = 544)
Least black-and-white	10%	18%
Most black-and-white	47	29
Other response patterns	43	53

¹¹ The wording of these questions is given in footnote 4, items a and c.

the parties. In both comparisons, only those who voted or would have voted Republican are considered, to eliminate the distorting influence of the relationship between vote and pattern of response.

The charismatics are clearly much more inclined to judge both candidates and parties on a cops-and-robbers basis.¹² On candidates, the charismatic Republicans are 16 to 1 most black-and-white, as contrasted with a 2 to 1 ratio among non-charismatics. On parties, the corresponding ratios are 4½ to 1 and 1½ to 1.

Another indication of the charismatic person's relative inability to sustain perceptual uncertainty appears in the forecast respondents made before the election on how close the national race for the presidency would be. As the following table indicates, charismatics were about evenly divided as to whether the race would be close or would approach a landslide. The non-charismatics were about 3 to 1 inclined to think the election would be close. The difference is highly significant.

TABLE VI. PREDICTION OF CLOSENESS OF PRESIDENTIAL RACE*

	Republican Charis- matics (N = 30)	Republican Non-charis- matics (N = 544)	All Charis- matics (N = 32)	All Non-charis- matics (N = 922)
(Very) close race	50 %	68 %	53 %	68 %
One candidate will win by (quite) a lot	46	21	44	19
Respondent answered but gave no clear-cut prediction	0	7	0	7
Don't know or not ascertained	4	4	3	6

* The question was: "Who do you think will be elected president in November? Do you think it will be a close race or will (respondent's choice) win by quite a bit?"

The intolerance for perceptual ambiguity is evidenced also in the discrepancy between the candidate respondents voted for and the one they said would make the best President aside from the party. Few people can be expected to believe or to state that in their opinion there is a difference between the candidate of their choice and the best potential President. Nevertheless, here again the charismatic Republicans differ from the non-charismatics; there is slightly

¹² The difference is significant in both cases at the five per cent level of confidence. In Table IV, because the expected frequency among the least black-and-white charismatics was less than five, the following formula was used:

$$\chi^2 = \frac{N \left(\frac{AD - BC}{2} - \frac{N}{2} \right)^2}{(A + B)(C + D)(A + C)(B + D)}$$

See Quinn McNemar, *Psychological Statistics* (New York, 1949), p. 207.

more than one chance in twenty that the difference is due to chance. The difference therefore falls short of statistical significance.

The third hypothesis—that the charismatic individual is more likely to believe that other people share his opinions and act as he acts—is related to the second in that the inability to maintain ambiguous perceptions is presumably part of the same psychic inability to tolerate diversity. The third hypothesis, however, introduces the additional factor of the charismatic's need for group

TABLE VII. CANDIDATE BEST SUITED FOR THE PRESIDENCY*

	Republican Charismatics (N = 30)	Republican Non-charismatics (N = 544)
Eisenhower	97%	83%
Stevenson	3	10
Either; neither; it depends	0	2
Don't know or not ascertained	0	5

* The question was: "Now, adding up the good points and the bad points about the two candidates, and forgetting for a minute the parties they belong to, which one do you think would make the best president?"

support for his own judgments, his relative inability to stand alone. In the pre-election interview respondents were asked how they thought various groups would vote. The groups in question were farmers, the working class, Negroes, the middle class, big businessmen, union members, Protestants, Catholics, and Jews. The Republican charismatic respondents were much more likely to believe that farmers, working class, and middle class would vote Republican. There were slight differences also between charismatic and non-charismatic respondents on the other groups, but the differences were generally so small that they must be attributed to other factors or to chance.

The fourth hypothesis states that the charismatic follower will have weaker ties to party than others because his main concern is to attach himself to an

TABLE VIII. PREDICTION OF VOTE OF VARIOUS GROUPS OF REPUBLICANS

	Farmers		Working Class		Middle Class	
	Charis- matics (N = 30)	Non- charis- matics (N = 544)	Charis- matics (N = 30)	Non- charis- matics (N = 544)	Charis- matics (N = 30)	Non- charis- matics (N = 544)
Will vote Democratic	17%	24%	23%	38%	3%	11%
Will vote Republican	40	20	27	14	47	35
Will split	30	33	30	32	30	31
Don't know and not ascertained	13	23	20	16	20	23

infallible leader. The evidence in support of this notion is not so strong as for the other hypotheses. In terms of classifying themselves as either strong or weak Republicans or Democrats rather than as Independents with or without leanings toward one or the other of the parties, there is some evidence—which falls slightly short of statistical significance at the five per cent level—that charismatics are more likely than the non-charismatics to attach themselves to party.

But when asked what they would do if confronted with voting for a candidate of their own party whom they liked less than the candidate of the other party, the charismatics differ markedly from the non-charismatics. Three-fourths of the former would vote for the candidate rather than the party of their preference, while less than half of the latter would do so. Only one out of eight of the charismatics in such a conflict situation would stick by his party or else not vote at all, whereas one out of four of the non-charismatics would choose one or the other of these alternatives that maintain his party ties. The relationship is evident whether one contrasts all charismatics or only those who voted or would have voted Republican in 1952.

TABLE IX. VOTING FOR CANDIDATE OR PARTY*

	Republican Charis- matics (N = 30)	Republican Non-charis- matics (N = 544)	All Charis- matics (N = 32)	All Non-charis- matics (N = 922)
Would vote for candidate of other party	74%	49%	72%	42%
Would vote for candidate of own party	10	10	9	14
Would not vote for either candidate	3	14	3	17
Don't know or not ascertained	13	27	16	27

* The question was: "Suppose there was an election where your party was running a candidate that you didn't like or you didn't agree with. Which of the following things comes closest to what you think you would do? (1) I probably would vote for him anyway because a person should be loyal to his party. (2) I probably would not vote for either candidate in that election. (3) I probably would vote for the other party's candidate."

The interesting aspect of this information is that, if charismatics are indeed more likely to attach a party label to themselves, the label means less for them than for non-charismatics. The former may declare rather more strongly or more often their loyalty to party, but this loyalty means less to them than the attraction of a strong candidate. One can speculate on an explanation for this, saying that conventional loyalties are prominent among charismatics but that the convention is honored mostly on the verbal level and will be flouted in action—without the flouters being particularly aware that their party loyalty is largely sham. The available evidence from the election study, however, offers no clue other than the data presented to explain a phenomenon—apparent real weakness of verbally strong party ties—that is by no means self-explanatory.

IV

One of the most important broad questions about charisma-oriented individuals is the amount and kind of their political activity. If they are relatively active politically, their importance is of course greater than their numbers. If their orientation toward political issues differs from more common patterns, this too may be portentous. The inconclusiveness of relevant data from the election study makes improper any testing of hypotheses. But some of the material is suggestive and merits brief mention.

The charismatic respondents reported being "very much" or "somewhat" interested in the 1952 campaign much more often than did the non-charismatics.¹³ Nine out of ten of the charismatics compared with three out of four non-charismatics expressed such interest. (And less than a tenth of the charismatics said they were not much interested, compared with about a fourth of the non-charismatics.) Furthermore, three out of four of the charismatics said the differences between the parties were such as to make it important or very important to the country which party won the election; somewhat more than half of the non-charismatics said so.¹⁴ Statistically, these differences are significant.

But these differences in reported strong political feelings among the charismatics are not so clearly evident in the differences in reported action. There is either no difference between charismatics and non-charismatics on the reported regularity of their actual voting, or a difference indicating that the charismatics are somewhat less likely to vote in all or most presidential elections.¹⁵ On the other hand, charismatics slightly more often than non-charismatics reported having voted in both 1952 and 1948 elections. In both cases the differences fall short of statistical significance. The only reasonable conclusion from these data is that charismatics by and large vote neither more nor less often than non-charismatics.

Aside from voting, charismatics are in some ways apparently more active than non-charismatics. Respondents were asked after the election whether they had (a) talked to people, trying to persuade them how to vote, (b) given money, (c) attended meetings or rallies, (d) done any party campaign work, or (e) belonged to any political club or organization. On two scores the charismatics were significantly more active than non-charismatics—talking to people and doing campaign work. In the other kinds of political activity they were either as active or possibly slightly more so. Republicans generally are more active politically than Democrats, so part of the charismatic's activity may be

¹³ The question was: "Some people don't pay much attention to the political campaigns. How about you, would you say that you have been very much interested, somewhat interested, or not much interested in following the political campaigns so far this year?"

¹⁴ The question was: "Do you think it will make a good deal of difference to the country whether the Democrats or the Republicans win the election this November, or that it won't make much difference which side wins?"

¹⁵ The question was: "In the elections for president since you have been old enough to vote, would you say that you have voted in all of them, most of them, some of them, or none of them?"

related to being Republican. But when all Democrats were eliminated, the remaining charismatics were still in the ways described more active than Republican non-charismatics.

The orientation of charismatics toward partisan issues is substantially the same as that of non-charismatics. On the three domestic issues used in the election study to test partisanship of orientation—government welfare activities, FEPC, and the Taft-Hartley Act—charismatics did not significantly differ from non-charismatics, although they may lean very slightly more toward the Democratic position on welfare legislation and slightly more toward the Republican view on FEPC. On two of the four foreign issues—Have we gone too far in foreign involvement? Was it right to go into Korea in 1950?—the difference is microscopic. On the issue of whether it was our fault China went Communist, charismatics are inclined to blame this country more than do non-charismatic Republicans. If charismatics are adopting a partisan view on our China policy, it is so extreme as to indicate more zealous Republicanism than most Republicans themselves exhibit.

A more likely explanation than partisanship is that this belief in our blame for China's going Communist is associated with the characteristically charismatic attitude toward the fourth of the foreign issues—what should we do in Korea now? The strong tendency of charismatics either to say we should pull out of Korea or to say we should bomb Manchuria and China has been explained above in connection with Table I as evidence of intolerance of sustained political indecision and crisis.

V

The foregoing analysis of charisma in the 1952 campaign was undertaken for three reasons: to assess the researchability of an important political phenomenon which heretofore has remained largely in the intuitive realm of thought, to find out how prevalent the phenomenon is in contemporary American politics, and to test the validity of certain intuitive hypotheses as to the way charismatic followers will act.

The analysis presented is neither exhaustive nor deeply etiological. Because of the broad scope of the election study undertaken by the Survey Research Center, it was not possible to insert in the interview questions which could be designed to explore in depth the causes and in breadth the manifestations of charisma. The absence of prior research that is of directly probative value would have made imprudent the large expenditure necessary to gather a large national sample for the sole or primary purpose of research in patterns of leadership perception. But it was in fact possible by relatively exact, though crude, techniques to isolate a category of respondents whose primary orientation to politics indicated a strong predilection for a particular kind of leadership. And meaningful as well as statistically significant relationships between this predilection and kinds of political attitude and action did in fact emerge. I believe the analysis does indicate that a concept which up to now has been confined largely to intuitive observation can be subjected to empirical observation and test.

As we have noted, less than two per cent of the very precisely representative and random sample of the national adult population gave clear evidence of a primarily charismatic orientation. This fact is indeed significant, in more than a statistical sense, but its significance should not be overestimated. There is evidence in the interviews suggesting that more than such a tiny fraction of the general public has some charismatic reactions to politics. There is indeed no evidence that only about one person in fifty would actively support a man with a halo on a white horse. However, the fact that 32 cases produced striking relationships whereas more cases less precisely selected did not—despite the pronounced statistical advantage of large numbers—indicates rather clearly that charisma judged by fairly clear-cut criteria and exhibiting specific behavioral manifestations is not now epidemic in our society.

The four intuitive hypotheses stated at the beginning of Section III find considerable support in the data presented. It does seem clear that charisma-oriented individuals are relatively intolerant of political crisis, incapable of maintaining ambiguous perceptions, and more likely to see others as sharing their opinions and actions. The fourth hypothesis, on relative weakness of party ties among the charismatics is supported by less convincing evidence. The hypotheses are by no means proven, but they state differences which are theoretically consistent, and the relevant data are consistent with the hypotheses. Further research should not only test anew such hypotheses as these but also seek to examine in greater depth and breadth the causes and political consequences of charisma.

As is true with all research, a danger of investigations in charisma is that they lead the analyst and the reader to believe that the concept is the sole one having portent for our political future. Social analysts having an established set of work interests are prone to see charisma or anomie or authoritarianism or class struggle as *the* crucial concept, in terms of which the past can be explained and the future predicted with a confident sadness. No claim is here made for the primacy of charisma. Liberal and democratic political institutions are surely fostered or destroyed in consequence of a wide range of phenomena operating together and during the same time period. The isolation and abstraction of a particular phase of political life is necessary but should not lead to the crowning of kings when it seems clear that causal regency is plural.

We have noted that certain hypothesized relationships exist between underlying behavior patterns and charisma. Those who are looking for an omnipotent leader are doing so because they cannot tolerate either ambiguous thought or uncertain action. They tend to seek group support for their judgments and perhaps to be less firmly attached to political parties than others. More elaborate analysis would surely produce a wider range of knowledge about the dynamics of charisma.

The major caveat I would make is that there is danger of inferring from general behavior patterns to political behavior and vice versa. No claim can legitimately be made that, because charismatics cannot tolerate ambiguous thought and action, all those who cannot tolerate such ambiguity are charismatics. The term charisma refers to a particular pattern of political behavior

and not to a general characterological type. The charismatic individual is not a personality type any more than the person with cancer is an organic type. Charisma is in this paper conceived of as a characteristic of a particular aspect of the individual's total pattern of behavior—the political aspect. No more is asserted than one would say in describing a person as having cancer when he had a cancerous lung or liver. As a political behavior pattern, charisma is probably more fundamental than Republican or Democratic, but much less basic psychologically than, let us say, sado-masochistic or paranoid.

There is a growing tendency in current social research to jump with verbal ease from political to psychological concepts and back again. This saltatory process is presumably designed to establish profound relationships between the two areas of investigation. Profound relationships do exist, and are researchable, but the facile leap is likely to impede rather than facilitate the growth of our knowledge of political behavior. Until such time as we can demonstrate that all those who are insecure or intolerant of ambiguity or paranoid are of a single political type (whether charismatic or authoritarian or anomic) and can demonstrate that all charismatics or authoritarians can be subsumed under a particular broad psychological type, it seems likely that progress in knowledge can be more rapid the more cautiously we generalize. All individuals who are characterologically intolerant of ambiguous thought and action may share a political predisposition not to tolerate indecision and crisis in politics. But for some of them, family tradition or community pressure may preclude identification with candidates in a charismatic manner. Some political non-charismatics may have a strong tendency to attach themselves charismatically to leaders in business or trade union or to religious fanatics or even to their spouses. Preliminary efforts to establish relationships between general and specifically political behavior patterns must be recognized as such and regarded as initial efforts to appraise the significance of only some of the wide range of determinants of people's political attitudes and actions.

The broader context in which charisma is here conceptualized is the irrational tendency not to solve but to suppress major political problems of the age. Isaiah Berlin has said that the new belief of the 20th century "consists, not in developing the logical implications and elucidating the meaning, the context, or the relevance and origin of a specific problem . . . but in altering the outlook which gave rise to it in the first place. . . ."¹⁶ Charisma is regarded as only one of the major forms which this tendency takes. The evidence here presented indicates that the factor is not now prevalent on the manifest level. The extent to which it is a latent disease in the body politic cannot here be judged. If our political institutions remain strong and prove generally though falteringly able to handle the crises of our times or if the crises abate, charismatic leaders and followers alike may be frustrated in their combined search for power and glory.

¹⁶ Isaiah Berlin, "Political Ideas in the 20th Century," *Foreign Affairs*, Vol. 28, pp. 351-85, at p. 371 (April, 1950).

NOTE ON METHOD

The central methodological problem was selection of the charismatic cases. This process went through three stages. The first stage was facilitated by the elaborate code established for appraising respondents' perception of Stevenson and Eisenhower. A range of over a hundred different kinds of responses favorable to each of the candidates and about the same number of unfavorable responses was established in the code. From this range of possible responses were selected those that indicated some possibility of charismatic content, such as the one that he is a natural leader, he is above politics, people have confidence in him, etc. A machine sorting produced a total of 252 interviews in which one or more such possibly charismatic remarks had been made about Eisenhower or Stevenson. I then read through each of these interviews to determine which contained defensible evidence of charisma and which did not. This reduced the number to 50. The final sifting process involved having two other judges independently read through the 252 interviews and apply the criteria described in the next paragraph. There was some difference of opinion among the two independent judges and myself. Cases on which agreement was not unanimous among the three of us were discussed. Those on which there was not final unanimous agreement were discarded. On 32 cases there was final unanimous agreement, and this group provided the basis for analysis.

The criteria used in judging were established in a four-page, single-spaced "code." It described the concept of charisma, specified the questions in the interview (those listed in footnote 4) that were to be first examined for evidence of the characteristic and the questions that specifically were not to be examined (such as the one on vice-presidential candidates and how the respondent expected to vote), and gave examples of responses which did and did not meet minimal standards for charisma. Since the examples were so important in establishing a cutting point, the most relevant responses in three different interviews are given below:

1. An interview classified as not sufficiently charismatic to be included:

(What do you like about the Republican party?) "Nothing except their choice of candidate, General Eisenhower. I'm a particular admirer of him." (What do you like about Eisenhower?) "His qualities of leadership. His ability to accept responsibility and make up his mind."

The respondent says he is "a particular admirer" of Eisenhower and praises his qualities of leadership, but speaks of his ability to accept responsibility and make up his own mind, which are not uniquely charismatic qualities.

2. An interview classified as minimally charismatic:

(Why will it make a difference if the Republicans win?) "... I am trusting to the Republicans and Ike to end this awful war."

(What do you dislike about Stevenson?)

"Truman got the nomination for him, and, instead of being himself, Stevenson is being a little second Truman. We don't need a weak sister now ..."

(What do you like about Eisenhower?)

"His past record has shown him a man of decision and honor. He will do the wise thing about Korea and get our boys out of there ..."

(Is Eisenhower a real Republican?)

"... In some ways he may differ, but only in ways he feels it best for the country, and then the Republicans will listen, as they know they have a wise man to listen to."

The charismatic clues are: (1) Stevenson is "a little second Truman" and "a weak sister"; (2) Eisenhower is trusted to end the Korean war; (3) Eisenhower is "a man of decision"; (4) the Republicans will listen to "a wise man"; (5) there is belief in the *certainty* that Eisenhower will end the war and that he will lead the Republicans.

3. An interview classified as clearly charismatic:

(What do you like about Eisenhower?)

"I think Eisenhower is God-sent in our moment of strife. He will, I believe, get us out of this turmoil and back on our feet again. He is a leader of men, and he can do the job if anyone can."

(Are Eisenhower's ideas pretty much the same as other Republicans?)

"I'd say a little different, maybe. His ideals of right and wrong are much higher than most politicians. He has been at the head of an army, a college, and men all over have looked up to him and respected him. Why, he is just the man to lead this country and put it on a firm footing."

The belief in Eisenhower's omnipotence and moral excellence are rather clear-cut here.

There were inevitably some borderline cases. It was because our primary interest was in assessing the characteristics found to be clearly associated with charisma rather than in reaching a firm conclusion on the number of individuals whose approach to politics is charismatic, that we excluded all cases on which the three judges could not agree. This proved to be sound because the predicted relationships were more clear-cut among the 32 cases than among the 50 that I had chosen without the aid of judges—despite the fact that the criteria used by the other two judges were my own.

A statistical measure of the amount of agreement between the three judges indicated reliability of judgments considerably above the level of chance. Using a measure of agreement between judges labeled π by its author, William A. Scott,¹⁷ we found that the completely independent classification of interviews as charismatic by the three judges (including myself) had a π of .40, where 0 indicates only chance agreement and 1 indicates complete agreement. The π score for agreement between the two independent judges, who had no part in preparing the criteria for charisma, was higher (.53) than the agreement scores .32 and .36) between each of them separately and me. If I had gone through the 50 interviews I originally classified as charismatic and judged them in accordance with the more rigorous formal criteria used by the two judges, agreement would have been statistically higher but would have needlessly involved my being both judge and jury.

¹⁷ Wherein $\pi = P_0 - P_e/1 - P_e$. P_0 signifies observed per cent of agreement between two or more judges selecting a particular characteristic out of a group. P_e signifies expected or chance per cent of agreement between two or more judges selecting such cases.

THE PROTECTION OF THE PUBLIC INTEREST WITH SPECIAL REFERENCE TO ADMINISTRATIVE REGULATION*

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There are two aspects of the relation between government and interest groups which are of primary significance for the political scientist. One is the realistic approach to the study of interest groups, which gives attention to the demands of groups, their pressure on government, and the ways government yields to or tries to accommodate their conflicting demands. The other is the idealist tradition that the purpose of the state is the common weal, which has been expressed diversely, as for example, in the concepts of *salus populi suprema lex* and "public office is a public trust." If these two were necessarily in conflict, we should have to choose between ethical nihilism and utopianism. This paper moves from the assumptions that realism and idealism both have a place in the study of political science, today as in ancient tradition, and that in the study of the particular problem of government control of the economy, analysis of the upward impact of interest pressures and their accommodation through government policies should be supplemented by a search for the best means of strengthening the impact of the concept of the common weal in the decision-making process.

I

An initial problem is the difficult one of accuracy in use of concepts. The term "group," as Leiserson has told us, has two connotations: one is that of persons associated in organizations or associations; "the other is that of a category of persons presumed or observed by the investigator to possess attributes in common."¹ So defined a group can include members of a family, a labor union, the U. S. Chamber of Commerce, all wheat farmers, or all citizens of the U. S. Each group is a kind of public, but the term "public" has special connotations when applied to the association of men in geographical areas, i.e., in states and their subdivisions. The special connotations are not only those associated with the concept of "sovereignty," but also those associated with the fact of inclusiveness. For my purposes here the term "public" refers only to these particular types of inclusive associations, and the term "group" to other associations or categories of persons within the "publics."

This says no more than the "public interest" is the interest of people living

* This paper was presented at the fiftieth annual meeting of the American Political Science Association in Chicago, September 10, 1954.

¹ Avery Leiserson, *Administrative Regulation: A Study in Representation of Interests* (Chicago, 1942), p. 6.

within a politically organized society. It can be added, however, that the terms "group interest" and "public interest" assume some identity of interest among those within the group or public. The search for a "group" interest or a "public interest" is therefore a search for the common interest. This would be true even if the common interest were no more than the ability to reach a compromise among special interests. But the common interest often includes more. That it has substantive content even for our diversified publics can easily be illustrated. Peace, jobs for employables, education for children are obvious examples in our day. That these may be qualified by other interests, or that we cannot be positive that we know their precise limits, does not mean that their existence as elements of public interest need be denied.

We can say, then, that one element in the idea of public interest is that of broad, inclusive, or widely-shared interests, called variously general, common, or public interests. Another is the idea of enduring interests. For social as well as individual units a drunken debauch at the moment which erupts ulcers tomorrow is hardly deemed in the interest of the subject.

The identification of these two elements does not mean that there are not others which would enter into the determination of the public interest in a particular instance. Widely-shared interests may have to be compromised with existing or emerging special interests, of either a functional or a geographical nature, and long-run interests compromised with immediate interests. Moreover, the best attainable in the pursuit of the public interest may be a compromise among varied and perhaps conflicting interests, subsumed possibly under some standard of community purpose.

We are brought then to the conclusion that the geographical units forming states or subdivisions thereof are publics, and that within these publics there are public interests, *which may be identical interests of large portions of the public, or compromises of different interests, or some of both*. It should be added that the only constituent of the public interest which can be accepted is the interests of individuals as human beings, for those in whom the Western tradition has sunk its taproots will recognize no interests of groups or institutions except as these are bearers of the interests of men. No concessions need to be made to those who talk as though there were some separate and mystic interest in states, groups, or institutions, as such.

II

In recent years discussions of the public interest have become more realistic by reason of two developments in thought about group interests. The first is the expanded emphasis on the significance of group organization and group identities. Recently in an article in this journal Earl Latham summarized this development and argued the need for recognition of the fact in political theory.²

² "The Group Basis of Politics: Notes for a Theory," this REVIEW, Vol. 46, pp. 376-97 (June, 1952). Latham's bibliographical notes range comprehensively through the several academic disciplines.

It has become clear that "a plurality of social groupings"³ does exist, and that consideration of their place in the governmental process must supplement, though not supplant, the attention given to man and the state.

The second development is the emphasis on compromise of group interests as the essence of the process of government. This idea has been expressed in various ways⁴ by some of our most perceptive thinkers: by Bentley in his group process theory, according to which "All phenomena of government are phenomena of groups pressing one another, forming one another, and pushing out new groups and group representatives (the organs or agencies of government) to mediate the adjustments;"⁵ by Herring in his reconciliation theory, according to which "the purpose of the democratic state is the free reconciliation of group interests;"⁶ by Leiserson in his acceptance theory of the public interest, according to which "a satisfactory criterion of the public interest is the preponderant acceptance of administrative action by politically influential groups;"⁷ by those who have advocated a "new democracy" in which the interests participate in the actual process of government.⁸ In addition to these, T. V. Smith has glorified compromise as the essence of the democratic way of life.⁹

One of the most significant modes of generalization is Herring's statement of a reconciliation theory. Herring even says that a harmonious working relationship must be established between the bureaucrats and the special interests.¹⁰ There is validity in his argument. Especially is this true of government regula-

³ John Dewey's phrase, *The Public and Its Problems* (New York, 1927), p. 73.

⁴ For a fuller summary see my *Administration of National Economic Control* (New York, 1952), pp. 220-25.

⁵ Arthur E. Bentley, *The Process of Government* (Chicago, 1908), p. 269.

⁶ E. Pendleton Herring, *Public Administration and the Public Interest* (New York, 1936), p. 9.

⁷ *Administrative Regulation* (cited in note 1), p. 16.

⁸ The term "new democracy" was used, for example, by John D. Lewis in "Democratic Planning in Agriculture," this REVIEW, Vol. 35, pp. 232-49, 454-69, at p. 469 (April, June, 1941). Walter Gellhorn succinctly stated the point of view expressed in the text when, in discussing lay participation in administration, he concluded: "affected private interests are shaping the course of action. It is democracy at work." *Federal Administrative Proceedings* (Baltimore, 1941), p. 130. But Gellhorn stresses advice as the proper means of participation. *Ibid.*, p. 133. Ordway Tead sets forth "the principle of the representation of interests, which says that every group which has a clearly identifiable set of interests is safeguarded in its dealings with other groups only as it has the opportunity for an explicit voicing of its interests in councils where the common problems of the several groups are under consideration." *New Adventures in Democracy: Practical Applications of the Democratic Idea* (New York, 1939), p. 5.

⁹ See particularly *The Legislative Way of Life* (Chicago, 1940); *The Democratic Tradition in America* (New York, 1951); *Discipline for Democracy* (Chapel Hill, 1942); *The Compromise Principle in Politics* ("Edmund J. James Lectures on Government: Second Series" [Urbana, 1941]); "Compromise: Its Context and Limits," *Ethics*, Vol. 53, pp. 1-13 (Oct., 1942). For a recent analysis of Smith's theory, by one who opposes it, see John H. Hallowell, *The Moral Foundation of Democracy* (Chicago, 1954), ch. 2.

¹⁰ *Public Administration and the Public Interest*, especially p. 16.

tion of economic enterprise, where law often sets a standard which conflicts with the interests of affected industries, and where some compromise has to be effected between the purpose of the law and the interest of the groups. There are limitations on attainment of public ends through a system of overhead public controls of private enterprisers, arising out of the interests of the latter.

There is much validity in the arguments of the interest group theorists, and much guide for the administrator in the practice of his art. It may still be argued, however, that there is danger that the emphasis on interest groups will lead us to overlook other factors which are important in policy making. Other factors are recognized in broadly-gauged discussions, as for example in Herring's and Leiserson's, but repetition of the fact of group interest in many places may obscure them.

We may note three types of additional factors. First, the interests of men are not fully represented in group associations. American group structure is complex and so also are the life and loyalties of individuals. There is much lack of identity of interest among members of groups, much overlapping of interests across group lines, great variation in the extent to which interests are represented in groups, and considerable sharing of interests among men as men and as members of the large society.¹¹ We can easily be misled into believing that group interest is something concrete in contrast to a public interest which is elusive and vague. Second, value concepts determine choices among competing interests. Each of us has an interest in the security of our nation and an interest in personal liberty. Our separate judgments on many current measures of legislation will depend upon the value we have placed on each of these two interests. We may differ in our conclusions even though we have the same interests. In Texas I have recently seen men with identical interests take opposed positions on candidates for governor because they had formed different value judgments on segregation. One defect I find in the group interest theory as developed by some is that insufficient emphasis is given to the role of value judgments. Third, the interests of men must be interpreted in the light of developments in society. There is a certain "logic of events," from which the interests of men arise.¹² For example, the interest of men in government provision for security for old age arises out of changes in conditions, and the policy makers must look to the trend and tendency of events to determine the legitimacy of claims of interest.

Those who search for the public interest should look for the common denominators in group and individual interests and value judgments, and for the imperatives in specific situations. To the extent that their search involves compromise of interests, the efforts would be mechanical if centered on this factor alone. The process of government itself would be threatened with stale-

¹¹ See the analysis by David Truman in *The Governmental Process: Political Interests and Public Opinion* (New York, 1951), particularly ch. 16.

¹² Compare John M. Gaus' discussion of "The Ecology of Government," in his *Reflections on Public Administration* (University, Ala., 1947), ch. 1.

mate if based at every turn on the adjustment of the separate interests rather than on the discovery of the common interests and ideals, and the necessities arising from circumstances.

There is danger that the social scientist will overlook the varied nature of social engineering. First, in certain situations decision is appropriately based on presentation and analysis of opposed interests. In courts decision is reached by this process. Second, occasionally decision must be made by a process of bargaining. Third, in other situations research and analysis, perhaps with the aim of forestalling or minimizing advocacy or bargaining roles, is the initial and perhaps the main step toward decision. The joinder-of-interests and advocacy techniques, characteristic of the so-called judicial state, and the bargaining technique, characteristic of certain bipartite or tripartite agencies, appear to be of less value than the problem-solving techniques for the modern legislative-administrative state. In my opinion the early belief that regulation was a judicial process led to excessive use of the joinder-of-interest technique, and thus to overemphasis on compromise of interests. And bipartisan representation of labor and management in government can be a dangerous expedient if not held within proper bounds.

The *primary* needs, in my judgment, are to recognize the complexity of problems which must be faced and to emphasize the part that creative intelligence can play in the solution of problems.

Creative intelligence may supply a standard or solution to a problem which will be acceptable to interest groups. This step may be taken in advance of the crystallization of views of group interests or may result in modification of views already developed. The effect of creative intelligence is to raise the search for solutions to a different level where factors other than compromise of notions of special interest may be influential. Leiserson has referred to the "independence of administrative initiative,"¹³ and Herring has said, "The offering of positive proposals by a responsible administration is then the first goal to seek."¹⁴

One reason creative intelligence can be effective is because it provides accurate appraisal of situational factors and of ways of responding to these with workable and acceptable solutions. In regard to situational factors I have said elsewhere that the economic organism "is a complex of technologies, institutional framework, and behavior patterns. Within this complex the administrator finds points of resistance and pliability. *Expert analysis consists in the discovery of the areas of pliability and the means of manipulating these.*"¹⁵

The demands of the interest groups is only one of the situational factors which limit pliability. The policy maker will be limited in many ways. In the regulation of the oil industry, for example, "he cannot change the geology of formation and lift of oil, nor change the technology of drilling and transportation, nor ignore the law of capture and the correlative rights of men, nor move without

¹³ *Administrative Regulation*, p. 284.

¹⁴ *Public Administration and the Public Interest*, p. 383.

¹⁵ *Administration of National Economic Control*, p. 230.

recognition of the ways men will react to what he does."¹⁶ On the other hand, some factors can be manipulated, including frequently or perhaps usually, in some degree, the pressures of interest groups.

In the application of creative intelligence much depends upon the orientation of the policy-making crew. The directives of law will be some guide to an administrator and he must recognize these as governing standards for the moment. But he may recommend amendments to these or find that they leave a wide area of free discretion. It becomes important therefore whether he is oriented to think in terms of the broader identities of social interest and purpose.

Such identities, it may be repeated, do exist. Pound spent many years developing a list of the social interests embodied in the law, and his list reveals the existence of many social interests.¹⁷ No one has made such a search in our legislation, but if made it might uncover more identities of interest and purpose than we are immediately conscious of. It would help reveal, in Pound's phrase, the "received ideals" of the nation, which political scientists have sought too exclusively in judicial decisions. But though our tools of instruction are inadequate, it can be stated that the conditioning of the administrator to look for common and enduring interests is an essential safeguard for the public interest, at least in a society which has accepted the ideal of democracy as fully as ours has.

We can at this point broaden the definition of the public interest: *it may be defined as the best response to a situation in terms of all the interests and of the concepts of value which are generally accepted in our society.* Each of the elements in the definition—situation, all the interests, concepts of value—is a complex of many strands. It is this complexity which provides the opportunity for the "manipulative power" which Fainsod has said is within the capacity of the "wielders" of regulatory instruments.¹⁸

III

In a pluralistic society with strong and assertive group organizations which furnish opportunities for multiple approaches to a disintegrated government, the great problem in policy making is to develop policies which reflect a broad

¹⁶ *Ibid.*, p. 232.

¹⁷ See particularly Roscoe Pound, *Outlines of Lectures on Jurisprudence*, 5th ed. (Cambridge, Mass., 1943) and "A Survey of Social Interests," *Harvard Law Review*, Vol. 57, pp. 1-39 (1943).

¹⁸ Merle Fainsod, "Some Reflections on the Nature of the Regulatory Process," in *Public Policy*, ed. C. J. Friedrich and Edward S. Mason, Vol. 1 (Cambridge, Mass., 1940), pp. 298-99. Since writing this paper I have seen Don K. Price's statement of the reasons why he wrote *Government and Science: Their Dynamic Relation in American Democracy* (New York, 1954), p. v.: "The deeper reason was a notion that had been developing in my mind for several years (not a particularly original one) that the development of public policy and of the methods of its administration owed less in the long run to the processes of conflict among political parties and social or economic pressure groups than to the more objective processes of research and discussion among professional groups."

and long view of social interests. There is little chance that the immediate interests of organized groups will not receive adequate attention. The real danger is that the interests of the unorganized and weak, the shared interests of men generally, and the interests of men for tomorrow will not have proper weight in government councils.

If this be true, the challenge to the political scientist is to ascertain what arrangements in government *will facilitate the inclusive view in policy making*. This is a task similar to that undertaken by Madison in Federalist Paper No. 10. He accepted faction and sought ways of moderating its effects and preventing damage to society by group interests. Today the political scientist must accept the fact of group interests and pressure and seek ways of preventing this from destroying the search for a common weal. Madison had more fears of majority than of minority interests, but in our day the dangers in the latter as well as the former are evident. Also, Madison and the men of his day could place faith in checks on action as a safeguard against dominance of a particular interest, but in our day the rapid flux of economic factors and of movement on the international checkerboard call for arrangements in government to facilitate decision.

Both the literature of political science and trends in law seem to reveal some arrangements which may facilitate the discovery and advancement of the public interest. There is, therefore, nothing novel in the suggestions to be advanced here, except in their association with the basic aim of promoting the common good.

The first need is to adopt every expedient which promises to increase the amount and to raise the quality of creative intelligence available to government. Political scientists have long recognized that the complexity of modern problems requires experts of various types in government, and governments generally have quite unavoidably reached for experts in successive problem areas. The justification which has been offered is efficiency, but a deeper justification is moral. It is through the expert that we can expect to find ways of preventing the use of government for narrow aims, for only an expert can have the competence to discover workable solutions and thus show the ways to manipulate discordant elements toward public ends.

I am using the word "expert" comprehensively to include every form of intelligence which can be employed efficiently in the solution of problems. There are experts in technical detail, experts in analysis of facets of problems, experts in synthesis and the choice that forms decision, and experts in human (including group) relations. The highest level of expertness is the point where synthesis is reached as a result of juncture of analysis of the obstinacies and flexibilities of organic factors with analysis of the obstinacies and amenabilities of people. This gets close to or includes the expertness of the statesman, whether administrative or political.¹⁹ I would not say politician when speaking

¹⁹ Or even judicial, as in the case of the next step of the Supreme Court on segregation in education.

of this function in politics, for there are variations in politicians. T. V. Smith has told us that the politician is "The secular saint of a sinful society."²⁰ But I would not want to raise to sainthood the politician who looks only one way, as a leader of the French revolution who is reputed to have said, "There goes the crowd. I am its leader. I must follow." If he looks the other way, also, at the diverse knowledge which experts can give him on what is possible and what is best and grasps in his synthesizing role the highest measure of the best that will be accepted by the people, then he may merit the appellation of saint.

There are areas in which the work of the expert is conclusive. In my city I have never witnessed significant controversy over traffic engineering. The experts in placement and timing of traffic signals, choice of one-way streets, etc., are of course compromising the interests of people going south, north, east, and west, but they are doing this not directly at all times but oftentimes by a search for ways of moving traffic. There are areas of public convenience and of public necessity where men yield to the expert, or fail to yield only because they have not been told the reasons for his decisions.

There are other areas in which the divisions of men become more significant influences in the determination of policy. For this reason it is desirable to consider ways of keeping the creative intelligence within government oriented toward the inclusive interests of men. This requires special arrangements in personnel policies and organization.

The arrangements in personnel policies are those designed to maintain remoteness from particularistic viewpoints and an attachment to general interests. To attain these ends the following guides²¹ are suggested:

1. Avoid representation of the interests in the composition of public authority (as on regulatory boards) or occupational qualifications which are equivalent, except where necessary to obtain consent of parties to a mediatory process (as in some aspects of labor relations).
2. Strive to preserve the principle that officers of government should have no interests save as members of the public in matters within their jurisdiction, except as emergencies require temporary departures from the principle.
3. Give continued emphasis to the task of developing a flexible, transferable group of experts for service at top levels in administration, a group of "experts in social engineering—the men *who are skilled in the process of finding, within the framework of institutional organization and process, solution to public problems.*"²²

²⁰ The statement was recorded from one of his speeches. Smith informs me that it appears in his writings as follows: "The politician is the secular saint of our sinful society one of whose sad businesses it is to keep the self-advertised saints from cutting each others' throats out of the very excess of their saintliness." *The Political Way of Life* (Pamphlet of the California Bar Association, 1948), p. 18.

²¹ For fuller discussion see my *Administration of National Economic Control* (cited in note 4), pp. 236–51, 255–57, 270–71, 369–71. For other discussions of personnel problems in regulation see E. Pendleton Herring, *Federal Commissioners: A Study of Their Careers and Qualifications* (Cambridge, Mass., 1936), and Avery Leiserson's discussion in Fritz Morstein Marx, *The Elements of Public Administration* (New York, 1946), ch. 14.

²² *Administration of National Economic Control*, p. 369.

4. Develop a code of ethics for public office holders, containing rules on improper associations and guides on administrative practice, among which the following are suggestive: "conduct business in public offices, get the matter on the record, require clearances by professional staff members, prepare for particular pressures by developing a general policy, sink decisions on matters affecting persons or concerns individually deep enough in the administrative hierarchy and procedure to insulate against political direction on particulars."²³ The code could also outline the ideals of public office, e.g., nondiscriminatory action toward persons and groups, the independence of public office, the obligation to defend and promote the public interest. The ethics of public office might even be a section in in-service or pre-service training courses.

Arrangements in organization²⁴ should have, negatively, the aim of preventing too much identity of viewpoint between the regulator and the regulated and, positively, the aim of channeling the creative intelligence within the government toward a large, publicly-oriented consideration of social problems. In my opinion, our present knowledge points toward certain expedients of organization which will contribute to these ends.

First, in economic regulation there should be a predisposition toward cautiousness about establishing units of organization which deal continuously with the same industry or industry group. It must be recognized that there are some advantages in organizing on the basis of clientele served or commodity or industry controlled, and that it is even necessary sometimes to organize on such bases. But wherever it is necessary to establish clientele- or industry-oriented agencies, these should be subordinated to policy-forming echelons representing more inclusive viewpoints. This rule is suggested: for every use of the clientele or industry principle of organization, there should be compensating arrangements for consideration of other viewpoints.

Second, enlargement of the units of administration may force consideration of policy from broader viewpoints. The establishment of the Department of National Defense set the stage for the development of comprehensive planning for national defense, such as would not have been possible in the three separate services. Consolidation of agencies should be considered in many other areas: banking regulation and the Treasury, fuel, water, resources development, transportation. Ultimately the needs discussed in this paper and the need for reduc-

²³ *Ibid.* See also relative to a code of ethics, *Ethical Standards in Government*, Report of a Subcommittee of the Committee on Labor and Public Welfare, U. S. Senate, 82nd Cong., 1st sess. (1951); Phillip Monypenny, "A Code of Ethics for Public Administration," *George Washington Law Review*, Vol. 21, pp. 423-44 (March, 1953) and "A Code of Ethics as a Means of Controlling Administrative Conduct," *Public Administration Review*, Vol. 13, pp. 184-87 (Summer, 1953); "A Code of Public Ethics: Excerpts from a Code Prepared by the Citizens Commission on Ethics in Government, Arlington County, Virginia," *Public Administration Review*, Vol. 13, pp. 120-22 (Spring, 1953).

²⁴ For fuller discussion of these see pp. 251-57, 272-324, 361-64, *ibid.* A good discussion of the relation of interest groups and organization, based upon experience in wage stabilization in World War II, is Murray Edelman, "Governmental Organization and Public Policy," *Public Administration Review*, Vol. 12, pp. 276-83 (Autumn, 1952).

ing the President's span of control may require the establishment of even larger units of planning, coordination, and direction.²⁵

Third, assuming the integration of regulatory activities in large agencies, units for staff aid could be created in the top offices of each agency. The creative intelligence within such units could be applied to the broad problems which cut across industry or other lines of group interest.

Fourth, the whole executive branch should be integrated under the President so as to give him opportunities for influencing the direction of policy. I mean by this to attack the principle of independence of regulatory agencies as it developed in this country. Independence, if it was ever justified, is now an anachronism: it arose in a day when men assumed that regulation could be judicialized and when courts were saying that legislative power could not be delegated. Independence and plural headship have prevented the development of normal relationships between political and permanent officials. The two together have fostered traditionalism in approach and close affinities between the regulators and the regulated, and have insulated regulatory agencies against a responsible exercise of democratic control.

Fortunately, the idea of independence is dwindling on the vine, but unfortunately we have not yet adjusted our theory to the basic need. For half a century reformists have argued for integration as a means of saving money and gaining efficiency. But integration is more than a budgeteer's gadget or a technician's toy: it has a moral purpose. Integration is an instrument through which the related ideals of democracy and the common weal can have a chance to prevail in the practice of government: the former through a channel of control over the wielders of public power, the latter by raising the basic issues of public policy to a level where men may be forced to think inclusively.

The same moral purpose justifies geographical centralization on matters affecting the whole nation. Madison argued for centralized power in government as a means of preventing one faction from dominating society. Today we can see that centralized power gives an opportunity for the creative intelligence of men to find responses to situations which will take account of all the interests of the people over an extensive area. We have not yet adjusted our thinking to an international regime which can seek an international public interest which will ride over our particularistic national interests, but within our own nation the creation of the Constitution and the will to use the powers

²⁵ See, for example, the argument for a new echelon between the departments and the presidency (including an Executive Secretary for Economic Affairs) by George Graham in "The Presidency and the Executive Office of the President," *Journal of Politics*, Vol. 12, pp. 519-621 (Nov., 1950), and discussion favorable to a Department of Foreign Affairs with subordinate administrative departments, as a long-run solution to the organizational problem in the conduct of foreign affairs, in *The Administration of Foreign Affairs and Overseas Operation: A Report Prepared for the Bureau of the Budget, Executive Office of the President*, by the Brookings Institution (Washington, 1951) and in Arthur W. Macmahon, "The Administration of Foreign Affairs," this REVIEW, Vol. 45, pp. 836-66, especially at p. 846 (Sept., 1951), and *Administration in Foreign Affairs* (University, Ala., 1953), pp. 94-103.

thereunder have created new possibilities for discovering and promoting the commonly-shared interests of men.

Herring has said that the reconciliation of interests called for "a great administrative machine."²⁶ We have reached the same conclusion. If government is to exercise controls over the economy on behalf of the people, it must put force in the places where men are forced to search for the common interests of all. This does not mean, of course, that all power must be concentrated. It only means that a framework is needed within which the inclusive interests, problem-wise or area-wise, can have adequate attention. In policy making, deconcentration within a hierarchy and local self-government are principles applicable for less inclusive interests.

IV

A "great administrative machine," adequately equipped with multiple brain centers within, will have some force of its own; but it can gain sufficient strength to counter powerful undercurrents of special interest only if it draws energy from political power centers. An administrator who operates without political support from above will find that his manipulative powers are weakened and that capitulation to group demand is unavoidable.

Obtaining adequate political support is difficult in our political system, where power is splintered and dissipated in many directions. Within the Congress power is distributed among many "working centers," as V. O. Key puts it, and each of these becomes a potential center of direct influence on administration. Before this group of working centers and the organs of overhead management and supervision within the executive branch the administrator strives to obtain a greater measure of support than of resistance and in doing so may find that his power to deal with situations is compromised.

The unity within the executive branch for which Hamilton, the Brownlow and Hoover Commissions, and students of administration generally have argued can be achieved only if there is more unity in the Congress, and apparently this can be achieved only through provision of means by which a unified executive can work with organs of leadership in Congress.

The problem of administrative regulation is ultimately the problem of our total political system. The inclusive point of view cannot be expected to prevail sufficiently in administration unless it prevails also in the Congress. The problem is more difficult for the Congress because the system of local representation puts the representation of interests inside the government. But the primary need is the same, namely, to shift the location of power to a level where men must search for the common interest of the people of the nation. The means of doing this in Congress would carry us out of the area of administration, and would call for another paper.

²⁶ *Public Administration and the Public Interest* (cited in note 6), p. 9.

CO-DETERMINATION IN GERMANY*

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When the Labour Government began to nationalize industries in Great Britain, swarms of social scientists descended upon that island. They wanted to study this "great experiment," which many of them viewed as the trail-blazer for an inevitable trend in all modern industrial societies. That was nine years ago. Now it seems that the nationalization dogma has lost most of its force even in Labour circles. But another great experiment has been in progress on the Continent, in West Germany: *Mitbestimmung*, the scheme under which labor participates in the management of private industrial corporations. In part it was born out of British disillusionment with socialism's erstwhile cure-all. Because of its novelty and uniqueness, it is attracting increasing attention from social scientists. But this time, the different disciplines are unevenly represented. Economists, and especially experts in labor relations, have shown the most interest. When they run across a student of politics in pursuit of the same quarry, they often express surprise. And the Germans, who are being visited, interviewed, questioned, polled, and subjected to every conceivable form of social-scientific scrutiny, react even more strongly. They are positively puzzled: "You are not a *Nationaloekonom*? But then surely an *Industrie-* or *Betriebssoziologe*, or perhaps a *Jurist*. . . ." The political scientist is an animal of which few of them have heard. And fewer still can imagine off-hand why he would want to concern himself with co-determination.

And yet this German experiment seems to be pre-eminently suited for investigation by the student of government and politics, and not just for the conventional reason that it has played a role as one of the major issues in recent German politics. The main direction of our interest should rather be in *Mitbestimmung* as a deliberate attempt to introduce constitutionalism at a new level. It appears as a kind of constitutionalism not only in the traditional, negative sense of that word, i.e., because it has created a system of effective and regular restraints upon the action of the wielders of power at this level; but also in the more contemporary, positive meaning of democratic constitutionalism as an arrangement which seeks to distribute responsibility for central decisions among individuals in a manner fairly proportioned to the extent to which these individuals are affected by the consequences of such decisions. To make possible responsible living through institutions of this kind has in recent years been

* The research upon which this paper is based was made possible by a Sheldon Traveling Fellowship from Harvard and a Fulbright Grant. The author wishes to express his appreciation also for the valuable information which scores of German practitioners of co-determination have given him, usually in confidence. Since the notion of secrecy plays an important role in German politics and business, he feels it would be improper to identify these sources of information. And because most of the German literature on co-determination—the bibliography runs to more than 800 titles—is of a highly formalistic and juristic nature, the footnotes will mention only some of the most useful sources.

the great preoccupation of a large and diverse number of the most influential friends, in thought and practice, of constitutional democracy.¹ It was also the primary normative conception which motivated the creators of co-determination. To demonstrate this will be the purpose of the first part of this paper, while the second section will try to examine the workings of this new constitutionalism. Finally, an attempt will be made to legitimize the political scientist's special interest in this scheme through indicating some parallels between it and the more familiar varieties of constitutional government and politics.

I

Mitbestimmung was for the first time concretely introduced, early in 1947, in four and eventually twenty-four iron- and steel-producing corporations which had been created out of existing trusts by fiat of the (British) North German Iron and Steel Control. Here co-determination worked as follows: (1) The supervisory board of directors (*Aufsichtsrat*)² of the corporation consisted of eleven members, five representing labor, five capital, and an eleventh member the German Steel Trusteeship Administration, a creature of the British Control. (2) The managing board (*Vorstand*) was expanded to include, in addition to the usual business and technical directors, a third or labor director (*Arbeitsdirektor*, or sometimes, in the beginning, *Sozialdirektor*), to be in charge of personnel and "social" matters. (3) The *Arbeitsdirektor* was to cooperate closely with the works council (*Betriebsrat*), consisting of elected representatives of the workers (*Arbeiter*) and white collar employees (*Angestellte*) of the corporation. The works council provided two of the five labor members of the supervisory board of directors; two others represented the metal workers union and the union federation, respectively; while the fifth labor representative was not directly connected with either the corporation or the union, but was nominated by the latter. The labor director, too, was nominated by labor through their representative on the Steel Trusteeship Administration.

What normative conceptions led to the adoption of this scheme? We have to consider this question in relation to the three groups who helped to bring the scheme into being: unions, management, and the British. The British had the final say in all matters affecting the decartelized steel industry. To execute its authority, the Control relied largely on the German Trusteeship Administration. The Administration was headed by Heinrich Dinkelbach, a former man-

¹ Cf. the author's "Responsibility in Citizenship, Government, and Administration," in *Public Policy*, ed. Carl J. Friedrich and J. Kenneth Galbraith (Cambridge, Mass., 1953), Vol. 4, pp. 116-33.

² The German Corporation Law of 1937, which is still applicable to the *Aktiengesellschaft*, provides for three governing bodies: the general stockholders' meeting, which usually takes place once a year; the supervisory board of directors, which is elected by the general meeting, meets about four times annually, and lays down the long-range policies of the corporation; and the managing board of directors (*Vorstand*), which is appointed by the supervisory board and usually has two or three members, who either function collegially or are presided over by a *Generaldirektor*. Membership on one of these boards excludes membership on the other.

aging director of the German United Steel Works, and one of the few German managers who could afford to voice his views at a time when many of his colleagues were being held in Allied concentration camps. The unions, at British invitation and especially through their leader, Hans Böckler, participated in the original establishment of the Trusteeship Administration and were represented on its board.

What prompted the German labor unions to promote *Mitbestimmung*, a scheme which would seem off-hand to go against their traditionally Marxian socialist aims? For there can be no doubt that they did then—and indeed for the most part still do—advocate the socialization of basic industries. Nor can it be denied that they were still carrying most of the ideological baggage of Marxism. Consequently, they might have been expected to look askance at any scheme which would give managerial functions to representatives of the working class and force upon them day-to-day collaboration with capitalists in a reviving capitalist economy. And what prompted capitalist managers, such as Dinkelbach, to promote a scheme which might well restrict managerial initiative and freedom of decision, and give labor representatives the opportunity to supervise and control management activities? And, finally, what prompted the British controllers, appointed by the Labour Government, to forego their chance to socialize on an even larger scale than at home?

To be sure, many concrete coercions which the existing postwar situation imposed upon all three groups played an important role here, quite independently of the normative goals which each of them may have wanted to pursue. For example, the labor unions were not allowed to organize above the local level during the first year after the end of the war. Their first concern was to give their members work, food, and shelter. This led to their active cooperation with what was left of management in the various plants. Meanwhile, socialization continued to be their goal. But even when they were granted Occupation permission to organize on a Zonal scale, they were given no opportunity to bring about socialization. Co-determination therefore appeared to some of their leaders as the little finger which they should accept prior to grabbing the whole arm (or body). Management, on the other hand, had been badly discredited through close association with the Nazi regime. Some managers were released from Occupation arrest only on requests by the unions. And those managers who were permitted to play a role in the reconstruction and reorganization of the steel industry undoubtedly felt that they needed labor support in order to be able to resist those Occupation demands which they considered particularly obnoxious, as for example dismantling. The British controllers, finally, had to defer socialization out of respect for United States views on this question. And since they needed German help in order to put their steel program into effect at all, they had to accommodate themselves to some wishes of those Germans upon whose cooperation they had to rely.

Notwithstanding the importance of these favorable conditions, purely normative considerations did play a significant role in shaping the institution of *Mitbestimmung*. This is true especially of the German actors on the scene, partly because of the old German tradition of ideologically determined and/or

rationalized action. Anyone seeking corroboration for the influence of normative theory on political practice could probably find better cases in Germany than anywhere else. Political action which cannot be justified in terms of an elaborate "scientific" ideology is hard to find there. The German labor movement especially stands in this tradition. During the Weimar period, its theoreticians had already worked out the theory of economic democracy as a pendant to socialization.³ The economy as a whole was to be democratized in addition to being rationalized through socialization. This economic democracy was to be realized through the equal participation of labor and management in a series of economic councils at different levels of the economy. Participation within the individual enterprise was also considered, and the Works Council Law of 1920 indeed granted it, though on a very limited scale. However, these Weimar theories gave but scanty elaboration to labor participation at this lowest level of the economy. But when postwar force of circumstances necessitated relegation of socialization, it was only natural that the theory of economic democracy should be brought to the ideological front in its place. Thus one ground for labor's ideological acceptance of co-determination was given.

A second, and more important, basis existed. Despite the German labor movement's continued espousal of socialization, the expectations which it held of socialization had undergone a profound change. The orthodox Marxist expected socialization to bring about, first, a rational organization of the economy, and, eventually, the establishment of the classless Utopia. But by 1945 too much had happened to leave many adherents of this optimistic variety of Marxism, which holds that socialism enables all individuals to become responsible for their fate through making decisions based upon perfect, certain knowledge. Faith in the supreme desirability of individual responsibility survived the war, but faith in the attainability of perfect knowledge, along with the attractiveness of the rationalism of large-scale organization which both "monopoly capitalism" and socialism bring with themselves, was one of the casualties of the preceding decades. The survivors in Germany of National Socialism, war, and defeat attributed these disasters in part to the institutional inability of the many to contribute to decisions made by the few. True, better opportunities for the affected many to share responsibility for the disastrous course of events might not have made that course any less disastrous. But it would have made the consequences less unbearable. They would rather suffer something for which they deemed themselves responsible than something for which they knew they were not.

A democratic socialism might redress this situation. But because of the gigantic proportions of its organization, the individual would not be able to make really meaningful contributions to central decisions. Co-determination within individual plants, on the other hand, would afford him opportunities for such meaningful responsibility. Of course, bankruptcy of businesses or a de-

³ Cf. G. Decker, "Zum Begriff der Wirtschaftsdemokratie," *Die Arbeit*, Vol. 4, pp. 827 ff. (1927); T. Leipart, *Auf dem Wege zur Wirtschaftsdemokratie* (Berlin, 1928); Fritz Naphtali, *Wirtschaftsdemokratie* (Berlin, 1928).

pression in the whole national or international economy could still occur, but at least the individuals affected would feel that they had contributed to the occurrence. And the individual worker within the plant would better understand the complexity of the total process of decision-making. He would participate in it not only at the polls, as in democratic socialism, but also in the factory. He would, as the most often used slogan of the proponents of *Mitbestimmung* has it, be brought back into the center of things: *Der Mensch muss in den Mittelpunkt gebracht werden.*

An additional reason for labor's espousal of co-determination was its interpretation of the past. Large segments of the German labor movement and the Social Democratic party adhere to the Marxian interpretation of the fall of the Weimar Republic and the rise of National Socialism. They believe that this chapter in German history teaches that "monopoly capitalism" leads to fascism, because Thyssen "paid Hitler," Schacht made his collection, and so forth. The correctness of this interpretation is not at issue here, but only the weight carried by the conviction that it is correct. This weight is tremendous. And one means for preventing the recurrence of this kind of subsidization of political extremists by powerful industrialists was seen in the control which co-determination would give labor through its representatives on the supervisory boards of corporations. Thus a changed view of the historical process—the conversion from "optimistic" to "pessimistic" Marxism—led to the advocacy of political institutions designed to canalize that process, so that men might become responsible for their fate.

Normative considerations on the part of the earliest managerial proponents of *Mitbestimmung* may be more easily subsumed under the two main headings of "Christianity" and "escape from accountability." To say that several of the most important managerial supporters of the scheme stood under the influence of modern Christian social doctrines is not to imply that management held a monopoly on Christianity. On the contrary, the inclusion of non-socialist groups in the new unified German Trade Union Federation (*Deutscher Gewerkschaftsbund* or *DGB*) brought many convinced "*Christliche*" unionists into positions of influence on the labor side. This fact made peaceful cooperation between labor and management less difficult in postwar than in Weimar Germany. But, whereas the workers and their leaders would have advanced claims to a greater role in the life of the nation whether they were influenced by Christian thought or not, managers needed this kind of stimulus, in order to grant such a role to the workers. Roman Catholics were able to fall back upon a tradition which goes back at least to *Rerum novarum* and has always had strong exponents in Germany in particular.⁴ Both this and newer Protestant social doctrine were entirely sympathetic to any arrangements which, while leaving the institution of private property undisturbed, were designed to give individuals living within huge organizations improved opportunities for the exercise of responsibility. Some old and some newly "Christian" managers devoted themselves to the

⁴ Cf. Ralph Henry Bowen, *German Theories of the Corporative State* (New York, 1947), ch. 3 "Social Catholicism," and *passim*. Also John F. Cronin, *Mitbestimmung im Streit der Meinungen* (Bad Nauheim, 1953), pp. 46 ff.

realization of just this Christian goal after the German collapse had left little else standing in Germany but the moral authority of the churches. Thus they too could agree with the slogan of returning the human being to the center of things through co-determination.

At the same time, however, many of them preferred to remove *themselves* somewhat from the center of things. This motive gave rise to the second normative consideration which made for managerial supporters of the scheme. They wanted to relieve themselves of at least part of the responsibility which had hitherto rested upon their shoulders and consciences, because they had only too recently learned of the corresponding accountability which went with it. Many of them, indeed, felt that they had been held accountable by the Allies for many events to an extent which far exceeded their responsibility therefor. And they sensed from the German climate of opinion that their capacity to shape the course of events had been, and was being, overestimated. The chances were that, if things should go wrong in industry and in the economy in the future, they would again be blamed. So, when *Mitbestimmung* presented them with an opportunity to unburden themselves of part of their responsibility by sharing it with representatives of labor, they were glad to do so in anticipation of letting these representatives share also accountability for the consequences of decisions which would henceforth be made jointly. Managerial support for co-determination thus came from two normative considerations: the partly "Christian" recognition of workers' claims for more responsibility, and the managerial desire to escape total accountability.

What normative considerations, finally, prompted the British Steel Control to permit the experiment to take place? Here, dissatisfaction with the results of the nationalization of coal in Britain played a most important role. This dissatisfaction had nothing to do with the economic results of nationalization, but was the result of the relatively unchanged situation of the miners. They had no more opportunities for meaningful, responsible participation in shaping the future of the enterprises for which they worked than before nationalization. *Mitbestimmung* would be an experiment in providing such opportunities. The title of the major British report on the subject, "Workers Responsibility for Management in the Reorganized Iron and Steel Works," was not selected by accident.

Thus management and labor, Christians and Marxists, Germans and British, thinkers and actors who came from all sorts of radically diverse ideological backgrounds were able to agree on the desirability of giving individuals better opportunities for responsibility by letting them contribute to decisions about the fate of the corporations, on which their own fate depended to a large extent. Whether co-determination, the institution which they deliberately called into being for this purpose, served this end will be our next concern.

II

What happens to any individual depends in large measure upon the course taken by the many groups and organizations to which he belongs. Their fate is in part determined by human decisions. Men who make these decisions may be

said to be responsible for their consequences, when the decisions are made (1) upon a choice among alternatives; (2) in light of the availability of resources with which to put them into effect; (3) with knowledge of their consequences. Democratic and constitutional politics seeks to facilitate individual responsibility by enabling individuals to contribute to such central decisions to the extent that they will be affected by their consequences. To examine the functioning of *Mitbestimmung* as a kind of constitutionalism, therefore, we should ask such questions as the following: Who is affected, and how so, by decisions made in and about the corporations covered by the law? Who makes these decisions, and who contributes to making them? What are the alternatives, the resources, and the knowledge upon which these decisions are made? Through which channels can one make contributions to them? And how does all this differ from conditions in these corporations before co-determination was introduced and from conditions in other corporations not affected by the several co-determination laws?

We cannot examine the twenty-four iron- and steel-producing corporations in which the scheme was first tried as though they existed in a vacuum or operated with a fixed, unchanging institution. The provisions and practices of *Mitbestimmung* have been undergoing continuous change. Legally, the high-marks of this process of evolution are to be found in the laws of May 21, 1951, and October 11, 1952.⁵ The first of these gave the *Bundestag's* sanction, with slight changes, to existing arrangements in iron and steel and at the same time extended them to all corporations engaged in the production of iron and steel and in mining. It was adopted after lengthy negotiations and a struggle which involved the threat of a general strike by the *DGB*. The second law introduced a milder version of co-determination to most other privately owned corporations. It governs the elections and functions, including a limited right of co-determination, of works councils in all private businesses, including those governed by the earlier law. Under its provisions, one-third of the members of the supervisory board of corporations are elected by its workers and employees. But the unions are not empowered to appoint any members to this board, and there is no provision for a labor director. Passage of a further law, establishing economic councils at various levels, may be expected within a year.

American political scientists of an alegal or antilegal orientation may object to a detailed consideration of the highly detailed provisions of the two laws, and of the vast volume of juristic arguments which have been woven around them, and out of which they emerged. For lack of space, I shall indeed forego such a discussion, but not without first emphasizing the practical importance which legal provisions and controversies have in German politics. Whether it is because of the tradition of Roman and codified law, a characteristic hankering after order and orderliness, a faith in the capacity of human reason to pre-determine the course of events, or an aversion to direct personal negotiation for the settlement of differences, it is a fact that a legalism pervades the German

⁵ *Gesetz über die Mitbestimmung der Arbeitnehmer in den Aufsichtsräten und Vorständen der Unternehmen des Bergbaus und der Eisen und Stahl erzeugenden Industrie*, May 21, 1951; *Betriebsverfassungsgesetz*, October 11, 1952.

political atmosphere which is bound to impress most Americans as excessive. The general practice is to make detailed and comprehensive legal provisions for all possible eventualities before embarking upon a new political experiment, rather than to experiment before giving tried institutions and processes the stamp of legality after they have proved their worth, as in the Anglo-Saxon countries. The only reason why the "German way" was not followed from the very beginning in the case of co-determination is to be found in the non-existence of a German legislature at the time of its introduction under British Occupation auspices. But even in those early postwar days, the participating Germans repeatedly lamented the absence of a legal basis for *Mitbestimmung*. When they were able to create such a basis, they did, and ever since then the literal provisions of articles and paragraphs are forever cited by all those concerned with co-determination, from *Generaldirektoren* to workers.

This pervasive legalism also backs up the other caveat: not to consider the twenty-four decartelized steel-producing corporations as though they existed in a vacuum. They existed within, among other things, this legalistic atmosphere. They existed, also, under the difficult economic conditions of the first few postwar years. Their workers lived as members of the newly unified German trade union movement, which made the full realization of co-determination and its extension to all sectors of the economy, both private and public, its primary goal. For the last couple of years, they have lived next door to coal miners, in whose industry co-determination has had a slow and difficult start, and to workers in other corporations governed by the Law of 1952, which granted co-determination on a much narrower scale. They lived close to the Soviet Zone and at a focal point in the East-West struggle. *Mitbestimmung* was evolved in plants which have been practicing it for seven years, in full consciousness, on the part of the participants, of the importance of the experiment for the rest of Germany and—as some think—of the world.

But what has co-determination achieved with respect to opportunities for individual responsibility? To begin with, no great changes have occurred so far as the effects of decisions made in or about the corporations are concerned. These consequences still affect everyone living in the German and, to a lesser extent, the world economies. They also still affect corporate stockholders who, an Occupation promise to the contrary notwithstanding, have since had their property restored to them. And they still affect, above all, the men and women who work in the plants. Drastic changes have, however, occurred in the distribution of responsibility for making these decisions. They are made by different people than before; new circles of individuals and organizations can contribute to these decisions; and the alternatives, resources, and knowledge upon which they are based are of another kind than previously.

Formerly, day-to-day management decisions were made by the (usually two) collegial business and technical directors. These were appointed by, and personally directly accountable to, the supervisory board and, indirectly, the general stockholders' meeting, in terms of the provisions of the Corporation Law of 1937. These two groups, and the others whom they represented, were thus able to make indirect contributions to the managerial decisions made by

the directors. The latter's discretionary power, i.e., the range of alternatives upon which they based their decisions, was limited by their personal accountability to the board and by the prevailing business and labor situation. Their resources for effectuating decisions consisted of physical and financial givens plus their managerial subordinates. Their knowledge about the consequences of their decisions was derived from their general business experience, from the advice of the supervisory board, and, for intra-corporation effects of decisions, from the information which their managerial subordinates supplied.

What changes has *Mitbestimmung* wrought here? Day-to-day management decisions are now made by the three-man managing board. The third or labor director is appointed, as are his two colleagues, by the supervisory board, but on recommendation of the metal workers union. The three managing directors are individually and collectively accountable to the supervisory board of eleven. Five of these eleven represent the stockholders of the corporation. Five others represent labor. Two of these are elected by the works council, one being a worker and the other a white collar employee. Two others are appointed by the metal workers union and the *DGB*, respectively. The eleventh member of the board must be acceptable to the other ten. In other words, the circle of those capable of contributing indirectly to managerial decisions has been vastly extended, and the network of channels through which these contributions flow, vastly complicated. This means that contributions made by those who belonged to this circle prior to the introduction of *Mitbestimmung* have lost in relative weight. At least this is true of the discretionary power upon which decisions by stockholders are based, since the law now restricts the direct choice of the general stockholders' meeting to only five-elevenths of the members of the supervisory board. The increase in the discretion component of responsibility on the part of the workers thus occurred at the cost of the owners. Meanwhile, however, it is possible that the resources and knowledge components have been improved all around.

Managerial responsibility presents a good test case for this hypothesis. Under the law, the three managing directors are collectively accountable for action by any one of them. While each concerns himself primarily with business, technical, and personnel matters, respectively, all important decisions are made jointly. The alternatives available to the two original directors have thus been somewhat curtailed through the addition of the labor director and through the stricter delimitation of their jurisdiction by the co-determination law. Incidentally, this tends to be a general result of the subjection of any sphere of life to explicit legal regulation. Another such general result is improvement of the knowledge about probable consequences of decisions governed by the law. This result may also be observed in the case of co-determination. All three directors, as indeed all concerned, can now anticipate with greater clarity than previously the probable effects of their decisions within (though not necessarily outside) their corporation. But their general knowledge, as well as their legal foreknowledge, has been improved. Through addition of the labor director to the managing board, new channels have been opened for the flow of knowledge to the

other two directors. This has occurred not merely through expansion of the corporation's personnel department, which in most cases was rather neglected in Germany before 1945, but also through securing the coöperation of the workers' representatives. This same labor cooperation has also improved the institutional resources which are at the disposal of management in order to put their decisions into effect.

What is the concrete form taken by these improvements in the knowledge and resources components of management's capacity for responsibility? The case of a managerial decision may serve as an illustration. Suppose that the managing board of a steel corporation is considering an expansion of its plant. The financial outlay for this must be approved by the supervisory board. Its five stockholder members provide the usual fund of information about the corporation's competitive situation, the capital market, and other financial factors. Eventually they will also help to secure the needed capital. The two labor members of the supervisory board who represent the workers and employees of the corporation will bring to bear what knowledge they possess of conditions in the plant. This knowledge will be considerable, since these two are usually the chairman and vice-chairman of the works council, positions to which they would not have been elected had they themselves not worked in the plant for many years. Moreover, as officers of the works council they constantly work with its other members, who represent all the different shops of the plant. Members of the council will bring up much relevant information—and not just of a personnel or labor-relations character—in the course of its meetings. These two workers' representatives of the supervisory board will therefore be well informed on such matters as extent of utilization of existing capacity and efficiency of organization. The two supervisory board members who represent the unions, usually high union officers themselves, are able to contribute their general economic knowledge, which is often impressive and is being constantly expanded through union-sponsored training conferences for labor participants in *Mitbestimmung*. In addition to this general knowledge, they can also bring to bear their special knowledge of labor problems. If they had reason, for example, to foresee strikes, they would probably react differently to the expansion proposal than otherwise. It is too early to tell whether co-determination will act as a permanent or strong deterrent to strikes. But it is a fact that a special delegates' conference of the coal miners union recently voted to shelve demands for wage increases which had earlier been voted by the union's general convention. This change in plans must have been a result in part of the improved knowledge about the general economic situation available to the union's representatives on the supervisory boards of the coal mining corporations. Foreknowledge of the consequences of decisions is thus improved for labor as well as for management.

Once the supervisory board votes to accept the managing directors' proposal, the project is put into effect. Then the workers' legal right to "co-determine" through their elected works council becomes most noticeable in personnel questions. Old workers and managers have to be transferred and new ones hired.

Here the operations of the works council assume the character and proportions almost of those of a personnel office. Transfers, hirings, and firings are often done only through the council. Even managers are not hired without approval of the works council in some corporations. Decisions on these matters are made by joint management-works council committees on which both sides have equal representation. A series of such committees exists in each plant. Usually they deal with specialized matters such as economic, personnel, wage, and insurance questions, working conditions, accident prevention, and minors and women employed in the plant. These joint committees provide the managing board with a useful institutional channel for purposes not only of gathering knowledge for their decision-making, but also of putting their decisions into effect with less friction than would be the case if they were obviously management-imposed.

Finally, what opportunities for exercising responsibility exist for the workers themselves? They are informed about the state of the enterprise by management and workers' representatives at quarterly meetings held for this purpose. They elect the works council in biennial elections. They can always carry personal problems and general grievances to their representatives on the council. The council for its part maintains close liaison with its constituents through so-called "men of confidence" (*Vertrauensmänner*), of whom there is one for about forty workers, on the average. The workers also contribute to central decisions made about the future of the corporation through participation at the different levels of trade union politics, which finally produce, among other things, the union representatives on the supervisory board. They can further contribute to corporate decisions through joining the study and action groups which are maintained in most factories by the several political parties. These groups play an important role in the election of the works council, which often gives an accurate reflection of the political composition of the workers in the plant. In addition, two methods which had been available before co-determination was introduced may still be used: straight union activity of the traditional kind, from collective bargaining through to the strike, and the ballot, through which the corporation's policies and future may be influenced via "the state."

Such, then, in outline, is the shape taken by the new corporate constitutionalism in the German steel-producing industry. The makers of central decisions seem to be provided with a better basis of knowledge and resources. This improved knowledge may also in fact increase the range of alternatives available to them, despite the restrictions imposed in this respect by the co-determination law itself. Certainly the workers in these plants have new means for making contributions to central decisions and for availing themselves of information upon which to base these decisions. The multiplicity of channels through which they may influence central decisions will also tend to increase the alternatives among which they can choose, because it often happens that works council, union local, union, union federation, and *Arbeitsdirektor*—to mention only some of these channels—pursue different policies, which individual workers may then support, as e.g., in works council elections or at the quarterly meet-

ings for all personnel (rarely attended by more than twenty per cent). One danger, however, arises in this respect: the monopolization of these positions by a group of more or less like-minded *Funktionäre*, which would make the multiplicity of channels a mere fiction. When this happens, the worker is in fact confronted by the same union machine, no matter where he turns. When some labor union theoreticians advance the claim that only their organization is truly entitled to represent the workers in all their interests, they only feed this particular flame in the fire of criticism of *Mitbestimmung*, which is constantly maintained by their unreconstructed free-enterprise opponents. They, and even many labor leaders, often also raise the objection that the "average worker" will neither make use of, nor understand, the information on which he may base his contributory decisions. For this reason, the whole scheme has been transformed in the minds of some of its earliest proponents into a great educational experiment, designed to raise the level of economic, social, and political understanding of the German workers.⁶ They also insist that academically trained experts must be used as labor representatives on supervisory boards for these reasons. It might be pointed out, however, that the "average citizen" in a constitutional democracy also often fails to make use of or to understand political information available to him. But even if this be true, both citizen and worker are still able to become responsible for central decisions through the accountability to themselves of those men who are charged with making the decisions. Moreover, through participating concretely in the exercise of such responsibility, they become aware of the limits set to the knowledge of all human beings—including that of the most polished academic experts. They recognize also the inadequacies of the ideologies upon which they used to base their decisions. They learn that fundamental ideological disagreements between workers and capitalists need be no barrier to cooperation between human beings forced to find practical solutions to practical problems.⁷ All around, their view of reality becomes more "realistic" through their ability to enforce the accountability of the men charged with the exercise of responsibility for the future of the corporation. To the extent that this is true, one of the purposes of the introduction of this constitutionalism at the level of the industrial corporation will have been achieved.

III

Devotees of "scientific management" from the United States who approach the co-determination experiment ask of it: How can a committee of three run a huge corporation? More important, how can the three-man managing board function properly when one of its members, the labor director, is appointed by and accountable to, not the stockholders, who are interested in maximizing profits, but labor, which has quite different aims? Will not the conflicting de-

⁶ Cf. the author's "Ein Amerikaner zur Mitbestimmung," *Gewerkschaftliche Monatshefte*, Vol. 4, pp. 527-30 (Sept., 1953).

⁷ Cf. Carl J. Friedrich, *The New Image of the Common Man*, and the author's review of Cronin, *op. cit.*, in *Gewerkschaftliche Monatshefte*, Vol. 4, p. 511 (Aug., 1953).

mands which the interests of the firm, the unions, and the workers make of the labor director cause him to turn into a permanent schizophrenic, or else to favor one side at the cost of betraying the others? Industrial sociologists who are studying *Mitbestimmung* inquire: What are its effects on the attitude of the workers to their job, their employers, to the unions, and to each other? What is happening to the managerial layer of industrial society? Has it been expanded to include labor union leaders? Have the goals and attitudes of its older members changed?

Economists who approach the experiment ask these questions: What economic consequences does it bring? Will it result, e.g., in "excessive" economic benefits for the workers and thereby harm the German steel industry in international competition, or raise the cost of steel for domestic consumers? Students of labor relations ask: How can the steel corporations engage in collective bargaining with the metal workers union, if men appointed by that union, and owing it their primary loyalty, conduct negotiations on behalf of the corporations? How will strikes be possible under these conditions? Are not the German labor unions "perverting" their traditional goals?⁸

Now these are important questions and, in terms of the relatively narrow focus in which they are put, quite adequate.⁹ But all of them miss the really crucial point about *Mitbestimmung*: it is a conscious experiment in constitutional and democratic politics at a new level. It tries to repeat for the history of private industrial corporations what happened in the history of the countries which have become constitutional democracies in the course of the last three centuries. They, just as these corporations, were once ruled by single sovereigns, accountable only to God or "History," and possessed of sole responsibility for all that transpired in their realms as a result of the discretionary capacity, resources, and knowledge which they had concentrated in their hands. Their responsibility, too, was gradually—sometimes not so gradually—restrained and then divided and subdivided among ever more of those who were affected by the consequences of decisions centrally made, until finally all citizens came to share in it. And just as with the managing board today, the executive officials or bureaucrats of one-time sovereign rulers had to exchange very simple relations of accountability to their monarch, for very complicated relations of accountability to all those individuals and groups from whom they now derive their delegated capacity for responsibility, and who are specially affected by the

⁸ Cf. Cronin, *Mitbestimmung im Streit der Meinungen* (cited in note 4); Goetz Briefs, *Zwischen Kapitalismus und Syndikalismus* (Munich, 1952); Franz Böhm, *Das wirtschaftliche Mitbestimmungsrecht der Arbeiter im Betrieb*, in *Ordo*, Vol. 4 (Düsseldorf, 1951); H. D. Ortlieb, "Der Kampf um Wirtschaftsdemokratie und Mitbestimmung," *Wirtschaftsdienst* (Hamburg), Dec., 1952; McKittrick and Roberts, *Workers and Management—The German Co-determination Experiment*, Fabian Research Series No. 160 (London, 1953); W. H. McPherson, "Co-Determination: Germany's Move toward a New Economy," *Industrial and Labor Relations Review*, Vol. 5, pp. 20-32 (Oct., 1951).

⁹ The author hopes to deal with some of them in a broader focus in later publications. Cf. also his "Vom menschlichen und sozialen Wert der Mitbestimmung," *Sonderbeilage* Nr. 70, *Informationen, Gesellschaft für soziale Betriebspraxis*, Düsseldorf, Feb. 1, 1954.

consequences of bureaucratic decisions. Efficiency may sometimes have suffered, but this result was simply taken in stride by those who preferred to go to ruin under their own steam than to be guided to heaven by an efficient but unaccountable bureaucracy. Anyhow did efficiency really suffer? The notion that an unrestrained and uncontrolled individual can accomplish a job more efficiently than one who is in many, and often devious, ways restrained and supervised by others, is based upon the assumption that this one individual possesses certain knowledge about the consequences of his actions. If he were only permitted to act upon this knowledge, instead of having to consider the conflicting instructions of others who derive a different "knowledge" from their observation of reality, then he could achieve perfect efficiency. But it is precisely the rejection of the attainability of perfect knowledge which lies at the bottom of the contemporary advocacy of the norm of individual responsibility by friends of constitutional and democratic government. They realize first that much of what happens to men as members of communities is not at all the result of human decisions, but is determined by the data of nature and society, and second, that human decisions are based upon limited alternatives, executed with limited resources, and made by men whose foreknowledge of the consequences of their decisions will persistently remain merely probable. But they are also aware of the effects of such decisions on many people who do not themselves make them. Since they are motivated above all by the desire to give these individuals the opportunity to shape their own future, they ask that they be enabled to make equitable contributions to these central decisions—contributions, that is, which are reasonably balanced with reference to the extent to which they will be affected by the consequences of these decisions.

To get ever closer to this unattainable goal of enabling individual human beings to live responsibly seems to be one of the basic purposes which constitutional and democratic government is designed to promote. The constitution-makers and legislators of the German Federal Republic also conceive of it in those terms, as is clearly shown by the Basic Law, the unique "Law to Equalize the Burdens" of the war, by much other recent legislation, and last but not least by the legislation on *Mitbestimmung*. This concept of constitutional democracy pervades the German political atmosphere today in an almost tangible way. It probably arises out of recent disillusionment with Utopian ideologies of the right and left, but contains an element of Utopianism of its own in the form of faith in the feasibility of constitutionalizing literally all spheres of life. The political scientist's paramount interest in the experiment of co-determination is legitimized, because *Mitbestimmung* is a manifestation of this faith. The extreme devotees of the faith are bound eventually to be disappointed, too, though one great hope exists: the introduction of constitutional and democratic politics at this and other new levels may show all those who participate in them that what really matters for their success is not formal agreement on fundamental ideological convictions, but informal observance of methods of procedure.

AN INTERPRETATION OF THE PHILIPPINE ELECTION OF 1953*

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Conditions for the successful operation of the democratic form of government have not been present in the Orient. Democracy requires a people who have confidence in themselves, in their leaders, and in the democratic processes, and who have the means for operating democratic institutions. Included in the tools that make democracy work are literacy, a willingness to abide by the rules of the game, and a rapid means of communication and transportation.¹ In the Orient a fatalistic view regarding government is widespread. People in the lower income groups feel that government is an institution of the few, by the few, and for the few. Vote buying, spoils politics, favoritism, nepotism, grafting, the squeeze, the hold up, the percentage are all taken for granted. As one Filipino senator put it, "Graft and corruption are inherent in human nature."² The Orient also suffers from the primitive character of means of transportation and communications. Roads are bad, newspapers have limited circulations, telephones and telegraph stations are few, radios are scarce, and travel is often complicated by hazards of water, mountainous terrain, bandits, and wild animals.

The Philippine elections of November 10, 1953 show that the difficulties that have hindered the growth of democracy in the Orient can be overcome.³ Before the elections apprehension was widespread that extensive use might be made of fraud and terror to defeat the free expression of the popular will. The election demonstrated that popular sentiment could be mobilized and its expression protected in a Far Eastern country with limited experience with democratic institutions. The election was, therefore, an especially serious setback to communism and fascism.

I

It should not be expected that a country governed for four hundred and fifty years by foreigners would develop leaders of its own overnight. In governing the Philippines the Spaniards made little attempt to train the Filipinos for self-

* The author was in the Philippines as an observer of the November, 1953 elections for president and national legislature.

¹ Harold F. Gosnell, *Democracy: Threshold of Freedom* (New York, 1948); Richard McKeon and Rokkan Stein, *Democracy in a World of Tensions*; A Symposium Prepared by UNESCO (Chicago, 1951); Robert Strausz-Hupé and Stefan T. Possony, *International Relations in the Age of Conflict between Democracy and Dictatorship* (New York, 1950).

² Senator José Avelino, quoted by *Philippines Herald*, Oct. 21, 1953.

³ Harold F. Gosnell, "Filipinos Hold Free Election," *National Municipal Review*, Vol. 43, pp. 120-22 (March, 1954); T. Durdin, "Philippines Awaits a New Deal," *Reporter*, Vol. 10, pp. 17-19 (Jan. 5, 1954); T. Durdin, "Filipino Emerges as a New Asian Leader," *New York Times Magazine*, Nov. 22, 1953, p. 17; C. P. Romulo, "Right Man Wins," *Atlantic*, Vol. 193, pp. 50-52 (Feb., 1954).

government. They did not provide universal education, they kept the Filipinos divided by their local dialects, they failed to build a modern system of communication and transportation, and they set the example of a highly centralized government operated for the benefit of the few. The United States, in slightly less than half a century, made some progress in introducing universal education, teaching English as a common language, training leaders, and developing communications.⁴ But democracy has to be learned through experience, and for the Filipinos the process of learning really began July 4, 1946, their Independence Day.

The first elections for the republic were actually held before Independence Day. Sergio Osmeña, who became the President in exile when President Quezon died in 1944, ran for re-election in April, 1946 as the candidate of the Nacionalista party. Had he been given a free hand, he might have been re-elected. When he returned from exile, he wanted to outlaw all who had collaborated with the Japanese occupation. General MacArthur prevented his doing this by directing the calling of a session of Congress which included a number of collaborators. One of these, Senator Manuel Roxas, had been long a rival of President Osmeña.

Roxas led the formation of a new political party, called the Liberal party, which challenged President Osmeña's bid for re-election. The Liberals, an offshoot from the Nacionalistas, charged the Osmeña administration with inefficiency, weakness, and favoritism. Effective as a speaker and backed by a large faction of former Nacionalistas, Roxas waged a vigorous campaign, while President Osmeña refused to exert himself. Roxas won by a narrow margin.⁵ The election proved that the administration could be changed by democratic means and showed that it might be possible to build up a two-party system in the Philippines.⁶

The Roxas administration was disappointing to many. The new president failed to convince the people that he was governing primarily for their benefit rather than for that of the favored few. Spoils and graft in the disturbed postwar days were hard to eliminate. In his two years in office Roxas failed to live up to the promises of his campaign.⁷

Former Senator Elpidio Quirino, who had been elected vice president in 1946 as a Liberal, became president in April, 1948 following the sudden death of President Roxas. Before he became president, Quirino had not been regarded as an outstanding political leader. He had neither the oratorical powers of

⁴ C. Ralston Hayden, *The Philippines, A Study of National Development* (New York, 1942).

⁵ The returns were: Roxas, 1,333,392; Osmeña, 1,129,996.

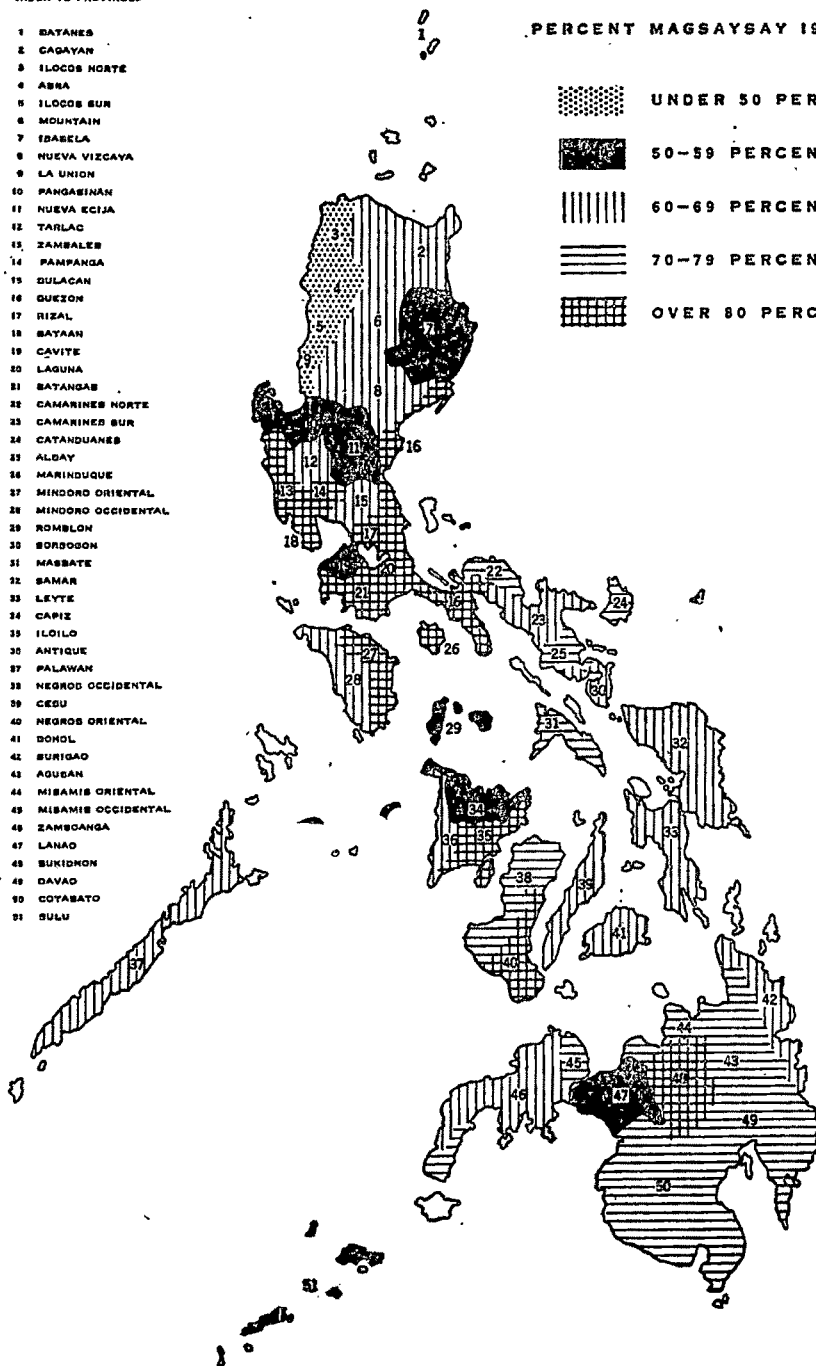
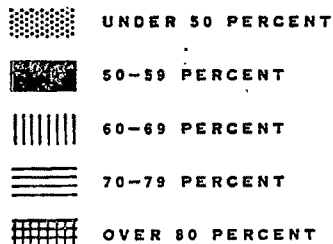
⁶ Bernard Seeman and Laurence Salisbury, *Cross-Currents in the Philippines* (American Council, Institute of Pacific Relations, 1946). This discussion has a curious blind spot on the Communist leadership in the Huk movement. On the party system in the Philippines, see Hayden, *op. cit.*; José M. Aruego, *Philippine Government in Action* (Manila, 1953); George A. Malcolm, *First Malayan Republic, The Story of the Philippines* (Boston, 1951).

⁷ *Manila Sunday Times Magazine*, Oct. 25, 1953, pp. 14-16; C. F. Nivera, "Political Review," in *Philippine Yearbook 1950-1951* (Manila, 1951), p. 108.

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THE PHILIPPINES
PERCENT MAGSAYSAY 1953



Quezon or Roxas, nor the organizing abilities of Senator José Avelino or Speaker Eugenio Perez. The son of a jail warden of Spanish days, Quirino acquired an education, including a law course, in the early days of the American regime, earning his way by government clerkships. He learned politics and administration under the Americans, serving as representative, senator, Secretary of Finance, Secretary of the Interior, and Secretary of Foreign Affairs. He had married into a wealthy family, and had no financial need to indulge in spoils politics. It was charged that he had collaborated to some extent with the Japanese;⁸ to counterbalance this charge, however, his supporters could point to the killing of his wife and two of his children by the Japanese. As Secretary of Foreign Affairs he had several diplomatic victories to his credit.

President Quirino started out with plenty of goodwill, but lacked the vigorous health needed for a clean-up administration. His own friends betrayed his confidence and he found it difficult to get rid of them. Instead he used the techniques of palace intrigue, keeping secret dossiers and using them when he felt that his power was threatened.⁹

The elections of 1949 were disillusioning to those who hoped to see increasing acceptance of democratic methods. President Quirino gained control of the nominating machinery by bringing graft charges against Senator José Avelino, who was trying to unseat him. Senator Avelino bolted the Liberal convention and ran on a Liberal ticket of his own. The Nacionalistas put forward José Laurel, an effective orator who had been president during the Japanese occupation and who wanted to vindicate his record. Laurel claimed that General MacArthur had left him behind to do what he could for his people.

President Quirino was apparently unwilling to take his chances in a free election. The temptation to bring pressure to bear upon the voters was too strong. He used the vast powers of the executive, inherited from Spanish times, to influence the result. It was charged that he used the Philippine Constabulary, the provincial treasuries, the mayors, and other officials to terrorize the voters and manipulate the results. In contests following these elections several Liberal representatives lost their seats. It was alleged that ghosts, monkeys, and bees were allowed to vote in some provinces. While the official returns gave President Quirino 1,796,446 votes, Laurel 1,303,575, and Avelino 419,890, Laurel never admitted that he been defeated.¹⁰

⁸ Malcolm, *First Malayan Republic* (cited in note 6), p. 185; Seeman and Salisbury, *Cross-Currents in the Philippines* (cited in note 6), p. 22; Hernando J. Abaya, *Betrayal in the Philippines* (New York, 1946).

⁹ Malcolm, p. 301; "The Tenant in Malacanan," *Manila Sunday Times Magazine*, Oct. 25, 1953, pp. 14-16; José L. Guevara, "LP Chances in the Elections," *Ibid.*, Oct. 25, 1953, pp. 30-31; Isidro L. Tetizos, "Why the LP Is Confident of Victory," *Counter-Point*, Manila, Oct. 20, 1953, pp. 2-3.

¹⁰ Nivera, "Political Review" (cited in note 7). The 1953 presidential elections marked a high point in popular participation in the Philippines as a whole. In spite of this, the vote cast in 1949 in the provinces of Negros Occidental and Lanao was far higher than it was in 1953. In Lanao 150 per cent of the estimated number of eligible voters were registered in 1951, according to the National Movement for Free Elections (NAMFREL.)

In the meantime, the problems facing the government were mounting. Important among these was the growing power of the Communist-led Huk guerrilla movement. The Huks or Hukbalahaps were an offshoot of a wartime guerrilla group. In central Luzon, where farm tenancy and unemployment were highest, the Huks were making rapid inroads by promises and threats just as the Communists were doing in other parts of Asia. The armed forces of the Philippines were unable to cope with the situation; their morale was low and they were not popular with the local population, because of the high-handed methods they sometimes used.¹¹

The United States made the granting of military aid contingent on the improvement of the internal security situation. A young legislator by the name of Ramon Magsaysay was acceptable to the United States as a new Secretary of Defense.¹² President Quirino appointed him to the post in 1950. The son of a blacksmith, Magsaysay had earned his way through college driving a taxicab. Starting out as a mechanic, he rose before the war to the position of manager of the Zambales branch of a transportation company. His lorries were requisitioned by the Americans. After the surrender to the Japanese, he fled to the hills and became a captain of guerrillas. Following liberation he was made military governor of Zambales. No one could question his war record. He was first elected to the House of Representatives from Zambales as a Liberal in 1946. In the House he stood out as a champion of the interests of the veterans and as a critic of his own party for demoralizing the army and failing to control the Huk menace.

As Secretary of Defense, Magsaysay tackled the main problems facing the Department with great vigor. His rules seemed to be: promotion in the army on the basis of merit without favoritism and nepotism, elimination of the causes of discontent, rehabilitation of the Huks willing to surrender. The measures adopted improved the morale of the army, led to the arrest of prominent members of the Communist Politburo in the Philippines, kept increasing military pressure on the Huks, placed relations between soldiers and civilians on a better basis, and resettled a respectable number of Huks on farms in the public lands of Mindanao. His record was so outstanding that it caught the imagination of the people and as early as 1951 he was hailed as the next president of the Philippines. His prestige was enhanced by the attention that he attracted abroad, particularly in the United States, where he became the subject of a number of articles in magazines of wide circulation.¹³

¹¹ Russell H. Fifield, "The Hukbalahap Today," *Far Eastern Survey*, Vol. 20, pp. 13-18 (Jan. 24, 1951).

¹² Mr. Magsaysay said on October 17, 1953, in a speech; "Ask Mr. Quirino if it is not true that the United States refused to enter into the military assistance pact unless he first cleaned out the corruption and inefficiency of his armed forces. Ask him if it is not true that when he suggested that I be made Secretary of National Defense, the American negotiators promptly agreed, and only then was the pact concluded." *Philippines Free Press*, Oct. 31, 1953, p. 55.

¹³ Robert Shaplen, "Huks, Foe in the Philippines," *Colliers*, Vol. 127, pp. 11-13 (April 7, 1951), and "Letter from Manila," *New Yorker*, Vol. 27, p. 96 (April 7, 1951);

As the 1951 senatorial and provincial elections approached, President Quirino gave his Secretary of Defense the job of trying to insure the honesty of the voting. Secretary Magsaysay performed this task so well that the elections were generally accepted as fair and clean. The Nacionalista senatorial candidates defeated the Liberal candidates, including the President's brother, Tony Quirino. All Nacionalista candidates were elected, polling about 59 per cent of the total vote.¹⁴

The growing rivalry between the President and his Secretary of National Defense made a break between the two men inevitable. On February 28, 1953, Secretary Magsaysay resigned from the cabinet and issued a statement in which he said in part: "... it would be useless for me to continue as Secretary of National Defense with the special duty of killing Huks as long as the administration continues to foster and tolerate conditions which offer fertile soil for Communism and I have repeatedly and publicly said that merely killing dissidents will not solve the Communist problem. Its solution lies in the correction of social evils and injustices and in giving people a decent government free from dishonesty and graft."¹⁵ Magsaysay left the Liberal party and Senators Laurel and Recto backed his nomination as the Nacionalista party candidate for president. At the Nacionalista convention, Senator Laurel and other senatorial leaders were able to persuade most of the delegates to support Magsaysay for the nomination. A small number of delegates held out for Senator Osias and then bolted the party to the opposition.

In the Liberal convention, former Ambassador Carlos P. Romulo sought the nomination but the control of the delegates was firmly in the hands of President Quirino. Vice President Fernando Lopez, who had been refused a renomination by the Liberals, joined forces with Romulo. Both men bolted the Liberal party and formed a new Democratic party which campaigned until the middle of August, at which time the two men withdrew their candidacies and formed a coalition with the Nacionalista party. Lopez became a candidate for senator on the Nacionalista-Democratic ticket.

II

Representing the old order, President Quirino made a last stand. Some of his Liberal colleagues had wisely urged him to step aside,¹⁶ but he clung to the idea that he might repeat his performance of 1949. He found it hard to believe that

Time, "Cleanup Man," Vol. 58, pp. 33-34 (Nov. 26, 1951); W. L. Worden, "Robin Hood of the Islands," *Saturday Evening Post*, Vol. 224, pp. 26-27 (Jan. 12, 1952); H. W. Fey, "Changes in the Philippines," *Christian Century*, Vol. 69, pp. 119-21 (Jan. 30, 1952); W. C. Bullitt, "No Peace in the Philippines," *Readers Digest*, Vol. 60, pp. 95-98 (March, 1952).

¹⁴ *Journal of Philippine Statistics*, Vol. 5, Table 5 (Nov.-Dec., 1952).

¹⁵ "Philippine Elections," *World Today*, Chatham House Review, pp. 508-10 (Dec., 1953).

¹⁶ Leon O. Ty, "Peaceful Revolution," *Philippines Free Press*, Manila, Nov. 21, 1953, p. 4.

this young upstart, whom he had helped to make successful, could defeat an experienced statesman like himself.

He had delusions that he was popular. His sycophants did not tell him that, as one Filipino put it, the people were mad.¹⁷ He attempted to whip up the old fear of American imperialism in order to win the nationalist vote. In reply to Senator Laurel's statement that American help might be needed to get an honest vote, President Quirino exclaimed that he would resist American intervention with the last drop of his blood. He failed to note that the old issue no longer held the interest that it once did. There was little danger of American intervention, as indeed he admitted, but this did not stop his beating the dead horse.¹⁸ The real issue was not American intervention but American aid.

He also appealed, somewhat plaintively, to the record of his accomplishments, insisting that the war damage had been repaired more rapidly in the Philippines than in any other country and that Philippine production had gone forward. On paper the record was impressive. But the opposition questioned how much credit Quirino could claim for it. With American aid and with private capital and initiative, the economic well-being of the country had indeed been going forward, they conceded. What they wanted to know, however, was whether it was going forward as fast as it could and who was reaping the benefit.

The President was confident of winning. He had a well-oiled, well-fueled, and well-financed machine, operated by the shrewd Speaker of the House, Eugenio Perez. This machine had defeated the experienced Laurel in 1949. President Quirino had also the Philippine constabulary, which could bring pressure to bear on the voters; he had the provincial treasurers, who had charge of the election returns; he had appointed members of the Commission on Election; he had local officials; he had means of reaching the remote villages; he had control over the schools. He did not think that the people would be swept off their feet by an ex-mechanic, who shook hands with the *barrio* folk as though he were running for mayor.

President Quirino was a polished speaker and waged as active a campaign as the delicate state of his health permitted. Because of a serious operation, he did not begin his campaign until late in the summer. By conserving his strength he was able to appear in the principal parts of the Philippines. In the northern provinces he spoke in Ilocano, but in other provinces he spoke in English, sometimes using an interpreter. In some localities various pressures were used upon government employees and school children to see that a crowd was assembled. The audiences were respectful but cool. The relative size and enthusiasm of the crowds at Liberal and Nacionalista-Democratic meetings indicated clearly that the tide was running against the Liberals.

III

Shortly after his nomination in April, 1953, Magsaysay began the most strenuous campaign ever waged by a candidate for president in the Philippines.

¹⁷ *Ibid.*, p. 65.

¹⁸ *Philippines Free Press*, Manila, Oct. 31, 1953, p. 11.

By plane, by bus, by car, by boat, and on foot he covered nearly every section of the archipelago. At the end of seven months of such campaigning he was still going as strong as ever. The irregular meals and sleeping arrangements required an iron constitution, an excellent digestion, and an even temperament. His genuine liking for people was such that he did not hesitate to go into the *barrios* and shake hands with the common folk. In previous campaigns the *barrios* had been neglected. While Magsaysay was not an eloquent speaker and did not strain for oratorical effects, he was a persuasive talker, knew how to conserve his voice, and impressed his listeners with his sincerity, his humor, and his interest in their welfare. He spoke English with a pronounced Philippine accent. With most of his listeners this was an asset. He could also address audiences in at least two of the main dialects, Ilocano and Tagalog. No special preparations were needed in order to collect an audience for one of his appearances. The people wanted to hear and see the new leader and they would travel for miles, and wait hours in the rain or sun or darkness, when it was announced that he would be speaking in the vicinity. Magsaysay gave the poor people in the *barrios* the idea that they were important in national politics.

Liberal party attempts to belittle and ridicule Magsaysay as vulgar and uneducated backfired. When he heard that a prominent Liberal had said that he was "fit only to be a *basurero*" (garbage collector), he answered at the next political meeting: "Yes, I am only fit to be a *basurero*, but if you will elect me, my friends, I will play the role of a good, a very efficient *basurero*. I will clean up all the garbage of graft and corruption that the Liberals have piled up in our government! Just give me a chance and I'll show the Liberals what a good garbage collector I'll turn out to be."¹⁹

Magsaysay's supporters endeavored to win votes for their candidate by building him up as a man of courage, energy, integrity, and action in contrast to President Quirino who was pictured as aging, sick, haughty, tired, and ineffective. They pointed out that under President Quirino unemployment had increased, the deficit in the national budget had become larger, and the government had acquired a reputation for graft and corruption. The Nacionalista platform included among its planks statements on balancing the budget, increasing industrialization as a means of reducing unemployment, effecting land reforms so as to improve the tenant situation, improving educational standards, and securing freedom of action in the field of foreign relations. Magsaysay did not spell out in detail how these objectives would be secured. In a campaign to bring about a change in administration, it is wise for opposition candidates not to be too specific. Magsaysay did, however, place special emphasis upon building artesian wells for *barrios*, on improving the health services of the government, and on building up friendly relations with the United States government. In answering the claims of President Quirino that his administration had brought many economic improvements, Magsaysay accused the administration of

¹⁹ L. O. Ty, "Day of Reckoning," *Philippines Free Press*, Manila, Nov. 14, 1953, p. 5.

favoritism and laxity in collecting taxes and of failure to utilize all the American aid that was available.²⁰

Instead of relying on the regular Nacionalista and Democratic parties to carry on the campaign and making arrangements for safeguarding the vote, a group of active Magsaysay volunteers set up their own organization which included the Magsaysay-for-President Movement (MPM), the Women's Magsaysay-for-President Movement (WMPM), and the Student Magsaysay-for-President Movement. The leaders of these organizations were recruited from the Veterans organizations, the Jaycees, the Rotary clubs, the Lions, the League of Women Voters, the National Students' Movement for Democracy, and other special groups. The Coordinator of MPM said that the idea for the organization came from the Eisenhower-Nixon clubs which functioned so well in the American presidential election of 1952. Out of some 18,000 *barrios* in the Philippines, MPM clubs were established in 15,600. Club members checked registration lists, canvassed the voters, supplied information for exclusion proceedings held to revise the lists of voters, educated the voters, arranged for political meetings, organized watchers, couriers, and reserves for safeguarding the casting and counting of the ballots, organized their own system of communications for reporting on the returns, and took other measures to combat fraud and terrorism during the elections.²¹ MPM carried on all of these operations using only candidates' watchers credentials. Before this election, candidates had supposed that they had to have the naming of election inspectors to protect their vote. MPM showed that an election could be watched without naming the election inspectors.

Both parties tried to attract and to avoid offending voters who might be influenced by religious considerations. Over four-fifths of the Filipinos are Roman Catholics, but the Constitution provides for separation of church and state. During the campaign certain religious questions were brought in indirectly. Some members of the Church hierarchy signed a pastoral letter which deplored attempts to use fraud and terrorism to win votes. This letter pointed mainly to the Liberal party. The Quirino administration was also under fire on account of a position taken by Catholic clergy on the question of religious instruction in the public schools.

IV

The Nacionalista candidate, Ramon Magsaysay, won a resounding victory, receiving over two-thirds of the total vote cast. In Manila he won four-fifths of the votes and in the other cities over seven-tenths. Such an overwhelming vote meant that all elements of the population supported him. He received strong backing from the Catholics, from other religious elements, from the city dwell-

²⁰ Summaries of his speeches are to be found in *Philippines Free Press*, *Manila Times*, *Daily Mirror*, *Daily Record*, *Evening News*, *Manila Chronicle*, *Manila Daily Bulletin*, and *Philippines Herald*.

²¹ Mimeographed publications of the organizations and articles in *Philippines Free Press*.

ers, from the farmers, from the literate and semi-literate, from those living in nipa huts, and from those living in the most expensive houses.²²

Magsaysay carried 25 of the 28 cities and 48 of the 52 provinces.²³ He received his highest percentage in his home province of Zambales. He also ran extremely well in the adjoining provinces of Bataan and Pampanga. These high votes reflect the influence of local loyalties in Philippine politics. Traditional party influences were shown in the overwhelming vote which he received in the Nacionalista strongholds of Batangas, Laguna, Quezon, and Marinduque, which were carried overwhelmingly by Laurel in 1949.

The four provinces which Magsaysay lost were President Quirino's home province of Ilocos Sur and the three adjoining provinces in northern Luzon. In these provinces Magsaysay ran ahead of the Nacionalista percentage obtained in 1949, except in La Union where the difference was slight. The loyalty of the Ilocos region to President Quirino is another illustration of the favorite son influence in Philippine politics. It was striking that Magsaysay carried the other provinces that were once part of the Liberal stronghold in the north.

A comparison of the provincial percentages obtained by the Nacionalista candidates in 1949 and 1953 shows that on the average Magsaysay received 20 per cent more of the total votes recorded than did Laurel. The Nacionalista party made its greatest gains in those provinces where there had been charges of election corruption in 1949, in those where there were concentrations of Mohammedans, in Magsaysay's home provinces, and in the most populous provinces of the Visayas.

The greatest absolute gain was made in the province of Negros Occidental in the Visayas, where Magsaysay won over 70 per cent of the vote as compared with less than 10 per cent received by Laurel in 1949. Serious charges of election manipulation were made in this province following the 1949 elections. It was alleged that the registration lists in 1949 had been padded by nearly 100,000 names.²⁴ This province is the principal sugar-producing area of the Philippines and on election day the trucks of some of the larger sugar plantations were seen transporting persons who were attempting to be "flying voters." Vigilance on the part of the Magsaysay workers, the National Movement for Free Elections (NAMFREL), the Philippine Constabulary, the Commission on Elections, and the local officials prevented the repetition of the 1949 tactics of the Liberals.²⁵

A striking feature of the election was the large increase in the Nacionalista vote in the Mindanao provinces containing large numbers of Mohammedans, who in the Philippines are called Moros. In Cotabato and Lanao, which had

²² A scatter diagram of the percentage of the total vote for Magsaysay and the percentage of families living in dwellings of light materials shows a slight negative relationship between these two variables, but the high Magsaysay provinces spread over the whole range. In other words, Magsaysay got a high vote in both prosperous and poor provinces.

²³ See map.

²⁴ *Philippines Free Press*, Manila, Vol. 44, pp. 1-3 (Oct. 24, 1953).

²⁵ Gosnell, "Filipinos Hold Free Election" (cited in note 3).

the largest proportion of Moros, and in the two Misamis provinces there was an increase of over 30 per cent in the Nacionalista vote. There were serious charges of election frauds in Lanao in 1949, and it was claimed that fake voters and false returns swelled the Liberal vote. The number of voters in Lanao was twice the number of literate adults given later by the census. In 1953 Magsaysay's popularity and splits in the local Liberal ranks reduced the Liberal vote while precautions taken by the Nacionalista candidates, non-partisan organizations, and the Commission on Elections prevented extensive frauds. The Commission on Elections attorneys, with representatives of both parties, canvassed the Moro areas in order to forestall efforts to pad the registration lists. Special measures to safeguard the ballot were also taken by the Commission immediately preceding and during the election itself. Magsaysay's speeches in Mindanao were well received and he seemed to attract the Moros as well as other elements of the population.

Magsaysay won the election because he inspired faith in his ability to establish a government for the people. His success story helped the Filipinos build up faith in themselves. Here was one of them, of Malayan stock, who had gained worldwide fame in a short time by reason of his courage, his integrity, his altruism, and his appeal as a fighting leader of the people who was willing to face threats to democracy coming either from the extreme Right or the extreme Left. He met the danger of the Huks by action on some of the grievances of the downtrodden peasants.

The Filipinos have demonstrated that in an oriental country confidence in democratic institutions can be established in spite of the many influences pushing toward a dictatorial system either of the Right or the Left. Both fascist and communist trends have been reversed and a change in power has been brought about by the methods of persuasion, fair election administration, and free organization of citizens.

While caution should be used in interpreting the elections, it is quite clear that they mark a significant achievement in the progress of democratic government in the Far East. The elections demonstrated that given the right kind of leadership, Far Eastern peoples can be stirred to faith in the ideal—fundamental to democratic government—of government as the instrument of the people. They also showed that volunteers can be organized in these countries to safeguard the election process against fraud and terror. The formidable obstacles to the effective operation of democratic processes in the Far East can be overcome.

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BIBLIOGRAPHICAL ARTICLE

BASIC MATERIALS FOR THE STUDY OF STATE CONSTITUTIONS AND STATE CONSTITUTIONAL DEVELOPMENT*

The application of democratic theory to the practice of government in the United States is seen most clearly in state constitutional development. In his survey of American political institutions and practices near the close of the last century, Lord Bryce observed that a better understanding of the changes in the American democracy can be gained from "a study of the State governments than of the Federal Constitution."¹ He referred to the state constitutions and amendments thereto since 1776 as "a mine of instruction for the natural history of democratic communities."² In his well-known textbook on state government, Professor Holcombe described the constitutional history of the three branches of the state governments—legislative, executive and judicial—as "a history of the progress of democracy."³

The first state constitutions were framed during the early years of the Revolutionary period. In these documents, and especially in those that contained separate bills of rights, was stated the political theory of the American Revolution. Although this theory was libertarian in emphasis and outlook, its chief characteristic perhaps, as Clinton Rossiter has shown in his excellent study of the origin of the American tradition of political liberty, was "its deep-seated conservatism,"⁴ its traditionalism and respect for the past. The relatively free society that had developed during the colonial period made unnecessary any great social upheaval like that occasioned by the French Revolution of 1789.⁵ It is true that in some states, Pennsylvania for example, the Revolution with its attendant constitution-making precipitated a bitter struggle between radicals and conservatives;⁶ but, for the most part, the distance between the two groups was, as Rossiter points out, "the distance between men who stood at opposite edges of a broad, unbroken plateau."⁷

The leaders of the Revolution and the framers of the first state constitutions sought to consolidate gains already won rather than to create a new social

* I am indebted to my research assistant, Mr. William M. Griffin, for the detailed checking of library materials cited in this article.

¹ James Bryce, *The American Commonwealth*, 2 vols., 2nd ed. (London and New York, 1891), Vol. 1, p. 399.

² *Ibid.*, p. 434.

³ Arthur N. Holcombe, *State Government in the United States*, 3rd ed. (New York, 1931), p. 450.

⁴ Clinton Rossiter, *Seedtime of the Republic* (New York, 1953), p. 448. See also the Introduction by Carl J. Friedrich and Robert G. McCloskey, eds., *From the Declaration of Independence to the Constitution* (New York, 1954).

⁵ Louis Hartz, "American Political Thought and the American Revolution," this *Review*, Vol. 46, pp. 321-43 (June, 1952).

⁶ These struggles are described in Allan Nevins, *The American States during and after the Revolution* (New York, 1924).

⁷ *Seedtime of the Republic*, p. 428.

order. For this reason, the written fundamental laws of the several states, with the possible exception of Pennsylvania, did not establish governments that differed markedly from the *actual* governmental arrangements that existed in the respective colonies near the end of the colonial period; and Connecticut and Rhode Island, with slight modification, retained their "self-governing" charters as the basis of their state governments. Moreover, in spite of the lofty democratic ideas of the equality of man and the consent of the governed that were expressed in the first state constitutions, the right to vote and to hold office was limited generally to men of property.

These constitutions, formulated in haste and under the stress of war, were characterized generally by legislative supremacy, a property-qualified suffrage, a weak executive, dependence of the executive and the judiciary upon the legislature, and the lack of a clear distinction between fundamental and statutory law. Defects in the operation of many of these constitutions led to early movements for their revision. It is in this process of constitutional revision and in the framing of constitutions by new states that from time to time were admitted to the union that basic materials for the study of state constitutional development are to be found.

When the voters of Massachusetts were given the opportunity in 1779 to elect a special body to draft a new state constitution and to accept or reject the document recommended, a democratic procedure was originated which afterwards became customary in the revision or initial framing of state constitutions. Since that time almost two hundred constitutional conventions have met in the American states,⁸ and in the work and records of these bodies is to be found much of the constitutional history of the American democracy.

All but ten of the forty-eight states operate now under constitutions made prior to 1900. The nineteenth century, in fact, was the great century of state constitution making and revision. It was also a century that witnessed, in the political struggles in the constitutional conventions of that period, a gradual democratization of governmental forms and procedures. Among the most significant developments were broadening of the suffrage, strengthening of the principles of separation of powers and checks and balances through the extension of popular election to the executive and judicial branches of the state governments and the growth of judicial review of legislation, a rather rapid increase in the number of constitutional limitations on the legislature, projection of the state into several fields of social welfare, increasing governmental action in relation to economic activities, especially corporate enterprise, and the extension of popular participation in the revision and amendment of state constitutions. Near the close of the century, a movement to incorporate in constitutions the direct democratic processes of the initiative, statutory referendum, and recall began to gather momentum in many states.

⁸ *The Book of the States, 1941-1942* (The Council of State Governments, Chicago, 1941), p. 45, and table of constitutional conventions, by states, pp. 48-55. Less than one-third of the states have had only one convention; see *The Book of the States, 1954-1955* (Chicago, 1954), pp. 68-73.

Basic materials relating to these developments consist of the state constitutions with their amendments and the debates and proceedings of constitutional conventions. In addition, statutes and legislative committee reports, judicial decisions, newspaper files, pamphlets, official speeches, messages and reports, and personal information concerning the participants should be perused if the nature and significance of specific developments in any state are to be evaluated properly.⁹ The mere listing of these sources indicates their scattered and voluminous character as well as their inaccessibility, in many instances, except in the state where the events occurred. This bibliographic survey is concerned primarily with the basic materials, which may be available, at least in part, in the larger university libraries.¹⁰

I. THE STATE CONSTITUTIONS

A state constitution, framed or revised by an elected constitutional convention, inevitably reflects the environment which exists at the time the convention meets. The political history of the particular state, current political thinking, and experiences of other states are significant factors in shaping this environment. The tendency of constitutional conventions to enshrine the present through long, detailed constitutions has made frequent amendment or revision necessary. The large number of changes resulting creates difficulty for those who attempt to keep abreast of these developments.

Individual State Constitutions. Each state publishes its constitution in booklet form from time to time, but the intervals of publication are not regular.¹¹ In addition, the revised or consolidated statutes or code of laws of the state contain the constitution, usually annotated, in effect at the time of publication.¹² More-

⁹ For the skillful use and blending of these materials in tracing a particular development in one state, see Louis Hartz, *Economic Policy and Democratic Thought: Pennsylvania, 1776-1860* (Harvard University Press, Cambridge, 1948).

¹⁰ Some of the published materials mentioned were unavailable for inspection by the author. Information concerning these was obtained from Library of Congress cards.

¹¹ An examination of the publication dates of state constitutions indicates that Arkansas, California, Ohio, and Washington lead other states in the frequency of publication since 1930. The length of many state constitutions makes publication rather expensive. For example, sixteen states have constitutions that contain more than 20,000 words. For this estimate, see table prepared by W. Brooke Graves, in *The Book of the States, 1954-1965*, pp. 68-73. State constitutions are usually published by the office of the secretary of state. See *State Constitutions: A Bibliography* (Bureau of the Census, Governments Division, Washington, June, 1944), with *Supplement* (1947).

¹² Space does not permit a listing of the statutory codes of the states, which may be found, of course, in university law libraries. A useful listing, as of 1948, is "Schedule of Latest Editions of Federal, State and Territorial Statutory Compilations with Supplements . . .," compiled by Minnie Wiener (Federal Works Agency, 1948). A cursory examination of these codes reveals that some twenty-two have been published within the past ten years. In addition, twenty codes have had supplements added since 1950. Leading publishers of state codes are the Michie Co., Charlottesville, Bobbs-Merrill Co., Indianapolis, and West Publishing Co., St. Paul. All but four states, it appears, have had annotated constitutions published as part of their codes.

over, some states follow the practice of publishing their constitutions in their legislative manuals.¹³ The most convenient source for checking the official publication of state constitutions is the *Monthly Checklist of State Publications* (Government Printing Office, Washington) with yearly index, prepared by the Division of Documents of the Library of Congress. It lists all official publications of the states which are received in the Library.¹⁴

*Amendments.*¹⁵ As of August, 1953, almost 3,000 amendments had been added to the state constitutions now in effect.¹⁶ Only the New Jersey Constitution of 1947 has not been amended.¹⁷ The volume and frequency of amendments within a majority of the forty-eight states often outmode the published constitutions soon after their publication and make the task of determining current content a major problem.

There are several sources for checking constitutional amendments in the states. Session laws, published in most states after each legislative session, usually contain the resolutions proposing amendments. The *Monthly Checklist of State Publications*, mentioned previously, lists the official publication of amendments in the few states that follow this practice. In addition, the magazine, *State Government*, published monthly by the Council of State Governments (Chicago), in its section, "Among the States," and the *National Municipal Review*, monthly publication of the National Municipal League (New York), in its section, "News in Review," often contain brief notices of significant changes in state constitutions. From 1941 on, the biennial editions of *The Book of the States*, also published by the Council of State Governments, contain summaries of state constitutional developments in a separate section and a useful table, in the most recent editions, giving information on the length, number of amendments adopted, and amendment procedures of state constitutions.¹⁸

¹³ In Texas, for example, these manuals are published biennially to correspond with the regular legislative sessions.

¹⁴ For other sources concerned with state publications, see Everett S. Brown, *Manual of Government Publications* (Appleton-Century-Crofts, New York, 1950), pp. 45-58.

¹⁵ Constitutional provisions for amending each of the forty-eight state constitutions are reproduced in Christian L. Larsen and Conrad Cowan, *South Carolina State Constitution Amendment Procedures* (Bureau of Public Administration, University of South Carolina, Columbia, 1948), pp. 19-58. See also James Q. Dealey, *Growth of American State Constitutions* (Ginn and Co., Boston, 1915).

¹⁶ See the table on "State Constitutions and Constitutional Conventions," prepared by W. Brooke Graves, in *The Book of the States, 1954-1955*, pp. 68-73.

¹⁷ Because of the difficulty of the procedure, no amendments to the Tennessee Constitution of 1870 were adopted until November, 1953. *National Municipal Review*, Vol. 42, p. 562 (Dec., 1953).

¹⁸ One of the most helpful aids in tracing state constitutional changes was the *State Law Index* (Government Printing Office, Washington), a biennial publication (12 editions) prepared by the Legislative Reference Service of the Library of Congress, which was published until 1948. In this publication the proposed, ratified, and rejected amendments to state constitutions were indexed for each biennium. From 1929 to 1937, inclusive, and in 1940 this REVIEW carried an annual article on "State Constitutional Development." Sometimes bureaus of public administration or similar agencies of state universities publish pamphlets summarizing and discussing proposed constitutional amendments in a

Collections and Digests of State Constitutions. Several collections of state constitutions have been published. Ben P. Poore made the first comprehensive collection in *The Federal and State Constitutions, Colonial Charters and Other Organic Laws of the United States*, 2 vols. (Government Printing Office, Washington, 1877). This was followed by the compilation by Francis Newton Thorpe, *The Federal and State Constitutions, Colonial Charters and Other Organic Laws of the States, Territories and Colonies Now or Heretofore Forming the United States of America*, 7 vols. (Government Printing Office, Washington, 1909). Each of these compilations contains the texts of all state constitutions adopted prior to its publication. The text of all state constitutions as of 1917 may be found in *The State Constitutions and the Federal Constitution and Organic Laws of the Territories and Other Colonial Dependencies of the United States of America*, ed. Charles Kettleborough (B. F. Bowen Co., Indianapolis, 1918) and, as of January 1, 1938, in *Constitutions of the States and the United States*, Vol. 3 of the reports of the New York State Constitutional Convention Committee (J. B. Lyon Co., Albany, 1938). The most comprehensive comparative digest of state constitutional provisions that has been published is *Index Digest of State Constitutions* (J. B. Lyon Co., Albany, 1915), which was prepared for the New York State Constitutional Convention Commission of 1915.¹⁹ Recent comparisons of state constitutions are made briefly in Christian L. Larsen and G. G. Williamson, *A Comparative Analysis of the Constitution of South Carolina* (Bureau of Public Administration, University of South Carolina, Columbia, 1947) and more extensively in *Manual on State Constitutional Provisions* (Legislative Reference Bureau, University of Hawaii, 1950).²⁰ Studies prepared for the use of constitutional conventions, which are mentioned later, often contain valuable comparative data on specific constitutional topics.

II. THE WORK OF CONSTITUTIONAL CONVENTIONS

The constitutional convention is the most significant original contribution of the states to the practice of government. It has played such a significant role in the history of the state governments that the literature concerning the nature and work of constitutional conventions is rather extensive.

state. An example is *Florida's Proposed Constitutional Amendments—1954* by William F. Larsen (Civic Information Series, No. 19, Public Administration Clearing House, University of Florida, Gainesville, 1954). A detailed analysis of state proposals, both constitutional and statutory, voted on in 1946 may be found in *State Proposals Voted upon in 1946*, by Richard C. Spencer and Anna A. Meck (Bureau of the Census, Governments Division, Washington, May, 1947).

¹⁹ In 1912, the Legislative Reference Department of the Ohio State Library published a *Digest of State Constitutions* (F. J. Heer Co., Columbus, 1912), edited by J. H. Newman, for the use of the Ohio Constitutional Convention of that year. Because of the arrangement of materials and its brevity, this digest is not as useful as the one mentioned in the text.

²⁰ One earlier comparative study is James Q. Dealey, *Our State Constitutions*, Supplement to the *Annals* (American Academy of Political and Social Science, Philadelphia, 1907).

Bibliographic Aids and General Works. Bibliographic aids to the study of constitutional conventions may be found in "State Constitutions and Constitutional Conventions," by Paul B. DeWitt, in *Manual on the Use of State Publications*, ed. Jerome K. Wilcox (American Library Association, Chicago, 1940) pp. 117-21; W. Brooke Graves, Norman J. Small, and E. Foster Dowell, *American State Government and Administration: A State by State Bibliography* (Council of State Governments, Chicago, 1949); *Official Publications Relating to American State Constitutional Conventions*, comp. A. F. Kuhlman (H. W. Wilson Co., New York, 1936); and *General Constitutional Revision in the States; A Selected List of References Covering the Period 1937-1947*, comp. Ione E. Dority (University of Michigan, Bureau of Government, Ann Arbor, 1948).

Two standard treatises on constitutional conventions are John A. Jameson, *The Constitutional Convention: Its History and Modes of Proceeding* (Charles Scribner & Co., New York, 1867) and Roger S. Hoar, *Constitutional Conventions: Their Nature, Powers and Limitations* (Little, Brown & Co., Boston, 1919). A good summary treatment of the constitutional convention is given in Raymond Uhl, R. H. Stoudemire, and G. R. Sherrill, *Constitutional Conventions: Organization, Powers, Functions and Procedures* (Convention Bulletin No. 1, Bureau of Public Administration, University of South Carolina, Columbia, 1951).²¹

Records of Constitutional Conventions. The most valuable guide to the publications of state constitutional conventions is *A List of Official Publications of American State Constitutional Conventions, 1776-1916*, ed. Shearer (2 Bulletins, Newberry Library, Chicago, 1917). The principal records of conventions are (1) the journals, (2) the debates, and (3) manuals or studies prepared for the use of conventions by convention committees or other agencies.

With few exceptions, the proceedings of every constitutional convention have been reported in a published journal.²² Taken alone, these journals offer little help in understanding the social, economic, and political forces that shaped constitutional changes at the time. When used in conjunction with the debates, however, they are a meaningful and necessary guide to the work of the conventions.

Unfortunately the debates in many state constitutional conventions were

²¹ See also Walter F. Dodd, *The Revision and Amendment of State Constitutions* (Johns Hopkins Press, Baltimore, 1910). The several methods of constitutional revision are described in John P. Keith, *Methods of Constitutional Revision* (Bureau of Municipal Research, University of Texas, Austin, 1949). Appendices B through E list recent joint legislative constitutional committees, unofficial constitutional committees, constitutional commissions, and constitutional conventions in the states. There is a tendency toward greater use of the constitutional commission in the initial phase of constitutional revision. The development of the American procedure for framing constitutions is traced by W. F. Dodd, "The First State Constitutional Conventions, 1776-1783," this REVIEW, Vol. 2, pp. 545-61 (Nov., 1908).

²² The journals record the motions, votes, resolutions, reports of committees, and other actions of the convention. Many of them also give brief biographical sketches of the delegates. In a few instances the journal also includes the debates.

not recorded and published. In some seventy-four instances, however, the convention debates have been published in full or in part. These significant records are now available for one or more constitutional conventions held in each decade since 1810. In these records one may find the development of ideas and the clash of interests that led to the "progress of democracy" in state constitutional development. A list of the published debates of state constitutional conventions is attached as an appendix.

A constitutional convention, by its very nature as an elective *ad hoc* body, faces tremendous problems in arriving at fundamental decisions which it must make usually within a relatively short period of time. One of the greatest problems is the availability of the necessary information upon the basis of which the delegates may make intelligent decisions. To meet this problem, preparatory work has been done in numerous instances either by convention committees or by outside agencies prior to the convening of the convention.²³ Manuals of varying content, digests or comparisons of state constitutions, or a series of studies of current problems may result from such preliminary work. Among the most significant recent efforts in this regard are the studies made for constitutional conventions in New York (1938),²⁴ Missouri (1943-1944)²⁵ and New Jersey (1947)²⁶ and by the Louisiana State Law Institute, pursuant to a legislative act of 1946, for "any future constitutional convention" that might be called in that state.²⁷

Studies of Particular Conventions. In view of the large number of constitutional conventions that have been held, it is surprising to find that very few studies have been made of the work of particular conventions. Among the more significant studies are Vernon A. O'Rourke and Douglas W. Campbell, *Constitution-Making in a Democracy* (Johns Hopkins Press, Baltimore, 1943), which describes the work of the New York Convention of 1938; John E. Bebout, *The Making of the New Jersey Constitution* (MacCrellich & Quigley, Trenton, 1945); Seth S. McKay, *Making the Texas Constitution of 1876* (University of Pennsylvania Press, Philadelphia, 1924); and Carl Brent Swisher, *Motivation and Political Technique in the California Constitutional Convention, 1878-79* (Pomona College, Claremont, 1930). Briefer studies of the work of conventions are Oliver

²³ Several states have used an appointive commission to study and recommend changes in the state constitution and to report to the governor or the legislature or an elected convention. See, for example, *Report of the Commission on Constitutional Amendment and Revision* (Harrisburg, 1920), a report made to the Pennsylvania General Assembly.

²⁴ *Report of the New York State Constitutional Convention Committee*, 12 vols. (J. B. Lyon Co., Albany, 1938).

²⁵ A series of eight *Manuals* (Columbia, 1943) prepared for the Missouri Constitutional Convention of 1943.

²⁶ A series of mimeographed "monographs" (Trenton, 1947) prepared by individual authors under the general coordination of the Governor's Committee on Preparatory Research for the New Jersey Constitutional Convention of 1947.

²⁷ *Constitutional Problems*, prepared by the Central Research Staff, Constitution Revision Project, Louisiana Law Institute (1947-1948). This is a series of mimeographed bulletins (sixty-three numbers, some with separate parts) covering the major problems which a convention would face in Louisiana. The Oklahoma Legislative Council prepared a series of constitutional studies (21 bulletins) in 1948.

M. Dickerson, *The Illinois Convention of 1862* (University of Illinois Press, Urbana, 1905); James W. Harry, *The Maryland Constitution of 1851* (Johns Hopkins Press, Baltimore, 1902); and William Starr Myers, *The Maryland Constitution of 1864* (Johns Hopkins Press, Baltimore, 1901).

III. STATE CONSTITUTIONAL DEVELOPMENT

Although brief treatments of constitutional development in individual states usually are found in books on the history or government of the respective states, detailed constitutional histories of particular states are few in number. In this latter category may be mentioned Albert B. Saye, *A Constitutional History of Georgia, 1732-1945* (University of Georgia Press, Athens, 1948); Ethel K. Ware, *A Constitutional History of Georgia* (Columbia University Press, New York, 1947); William Anderson and Albert J. Lobb, *A History of the Constitution of Minnesota* (University of Minnesota, Minneapolis, 1921); and Benjamin F. Shambaugh, *The Constitutions of Iowa* (State Historical Society, Iowa City, 1934).

A brief historical study of the changing content of state constitutions generally is Sister M. Barbara McCarthy, *The Widening Scope of American Constitutions* (Catholic University of America, Washington, 1928). The constitutional history of a group of states is surveyed in Fletcher M. Green, *Constitutional Development in the South Atlantic States, 1776-1860* (University of North Carolina Press, Chapel Hill, 1930), a study of Maryland, Virginia, North Carolina, South Carolina, and Georgia, and in John D. Hicks, *The Constitutions of the Northwest States* (University of Nebraska Studies, Lincoln, 1924), which deals with Washington, Idaho, Montana, Wyoming, and the Dakotas.

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APPENDIX*

THE PUBLISHED DEBATES OF STATE CONSTITUTIONAL CONVENTIONS

ALABAMA

1901. *Official Proceedings of the Constitutional Convention of the State of Alabama, May 21st, 1901, to September 3rd, 1901*, 4 vols. (Wetumpka Printing Co., Wetumpka, 1941).

ARKANSAS

1868. *Debates and Proceedings of the Convention which Assembled at Little Rock, January 7th, 1868, to form a Constitution for the State of Arkansas* (J. G. Price, Printer, Little Rock, 1868).

CALIFORNIA

1849. *Report of the Debates in the Convention of California, on the Formation of the State Constitution, in September and October, 1849* (J. T. Towers, Printer, Washington, 1850).

* It is believed that this convenient listing of the published debates, by states and dates, will serve as a guide to those who may be interested in the informative and voluminous records of state constitutional conventions. These debates are available for thirty-nine states and for one or more constitutional conventions in each decade since 1810.

- 1878-1879. *Debates and Proceedings of the Constitutional Convention of the State of California, Convened at the City of Sacramento, Saturday, September 28, 1878*, 3 vols. (J. D. Young, State Printer, Sacramento, 1880).

DELAWARE

1831. *Debates of the Delaware Convention, for Revising the Constitution of the State or Adopting a New One; Held at Dover, November, 1831* (Samuel Harker, Printer, Wilmington, 1831).

GEORGIA

1877. *A Stenographic Report of the Proceedings of the Constitutional Convention held in Atlanta, Georgia, 1877* (Constitution Publishing Co., Atlanta, 1877).
 1943-1944. *Records of the Commission of 1943-1944 to Revise the Constitution of Georgia*, ed. Albert B. Saye, 2 vols. (Published by authority of the State, Atlanta, 1946). This was a constitutional commission, not a convention.

IDAHO

1889. *Proceedings and Debates of the Constitutional Convention of Idaho, 1889*, edited and annotated by I. W. Hart, 2 vols. (Caxton Printers, Ltd., Caldwell, 1912).

ILLINOIS

1847. *The Constitutional Debates of 1847*, edited with introduction and notes by Arthur Charles Cole (The Trustees of Illinois State Historical Library, Springfield, 1919).
 1869-1870. *Debates and Proceedings of the Constitutional Convention of the State of Illinois, Convened at the City of Springfield, Tuesday, December 13, 1869*, 2 vols. (E. L. Merritt and Brother, Printer, Springfield, 1870).
 1920-1922. *Proceedings of the Constitutional Convention of Illinois convened January 6, 1920*, 5 vols. (Illinois State Journal Co., Springfield, 1920-22).

INDIANA

- 1850-1851. *Report of the Debates and Proceedings of the Convention for the Revision of the Constitution of the State of Indiana, 1850*, 2 vols. (A. H. Brown, Printer, Indianapolis, 1850?).

IOWA

1844. *Fragments of the Debates of the Iowa Constitutional Conventions of 1844 and 1846*, edited and compiled with explanations by Benjamin F. Shambaugh, pp. 1-217 (State Historical Society of Iowa, Iowa City, 1900).
 1846. *Fragments of the Debates of the Iowa Constitutional Conventions of 1844 and 1846*, edited and compiled with explanations by Benjamin F. Shambaugh, pp. 217-333 (State Historical Society of Iowa, Iowa City, 1900).
 1857. *The Debates of the Constitutional Convention of the State of Iowa, Assembled at Iowa City, Monday, January 19, 1857*, 2 vols. (Luse, Lane and Co., Davenport, 1857).

KANSAS

1859. *Proceedings and Debates*, Printed by order of the Convention from the columns of the *Commercial Gazette* (S. D. Macdonald, Printer, Wyandot, 1859).

KENTUCKY

- 1849-1850. *Report of the Debates and Proceedings of the Convention for the Revision of the Constitution of the State of Kentucky, 1849* (A. G. Hodges and Co., Frankfort, 1849?).

- 1890-1891. *Official Report of the Proceedings and Debates in the Convention Assembled at Frankfort, on the 8th day of September, 1890, to Adopt, Amend or Change the Constitution of the State of Kentucky*, 4 vols. (E. P. Johnson, Printer, Frankfort, 1890?).

LOUISIANA

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BOOK REVIEWS

The Future of Cities and Urban Redevelopment. EDITED BY COLEMAN WOODBURY. (Chicago: University of Chicago Press. 1953. Pp. xix, 764. \$9.00.)

Urban Redevelopment: Problems and Practices. EDITED BY COLEMAN WOODBURY. (Chicago: University of Chicago Press. 1953. Pp. xvi, 525. \$7.50.)

Unquestionably these two volumes are major contributions to the literature on urbanism in the United States. Representing the principal products of the Urban Redevelopment Study financed through a Spelman Fund grant to the Public Administration Clearing House, they consist of penetrating essays and research studies diagnosing and frequently prescribing for some of our most serious urban weaknesses. The subject matter is generally broad and interdisciplinary in nature and is not cast within the confines of a narrow concept of urban redevelopment. It does, however, center largely on situations in local areas and not on national and state governmental policies.

The first of the five parts of *The Future of Cities and Urban Redevelopment*, the book of more general interest, contains short essays on urban redevelopment goals, design, and strategy, although the last phase is largely subordinated. The essayists are well known in the planning and housing fields—Catherine Bauer, G. Holmes Perkins, Henry S. Churchill, Robert C. Weinberg, Arthur B. Gallion, and Vernon De Mars. Their statements are happy choices for introductory considerations, furnishing perspective, and inquiring into difficult problems of urban living. They stress governmental leadership in redevelopment, variety and contrast in design, amenity in the city pattern, and knowledge of people's needs and desires. The six essays all interrelate through the strong thread of their democratic and humane approach.

"Industrial Location and Urban Redevelopment" is a very detailed statement of industrial location developments by the editor with the assistance of Frank Cliffe. It starts with major relationships between industrial location and urban redevelopment, emphasizing the great significance of industrial location within an urban area in shaping its overall structure and land-use pattern. Discussions of industrial location theory and influential factors in location decisions, regional patterns of industrial distribution, and national security considerations in industrial location follow. Attention then turns to the major facts and trends of actual plant location. The chapters effectively uproot a number of long-standing preconceptions, such as the assumption that most communities benefit from any type of industrial expansion.

Despite the problem nature of the subject, William L. Slayton and Richard Dewey in "Urban Redevelopment and the Urbanite" furnish a highly useful and significant monograph. Needs and desires of urban dwellers for housing, recreation, and social relationships, attitudes of residents, property owners, and interests in and near proposed redevelopment areas toward such projects, and participation of groups in redevelopment receive extended treatment. The authors are adept at interweaving many fugitive materials and argue persua-

sively for the potentialities of the sample survey in determining attitudes toward redevelopment programs. Victor Jones competently deals with developments, problems, and governmental actions in metropolitan areas in "Local Government Organization in Metropolitan Areas." Concentrating on the evaluation of public devices to lessen metropolitan problems, he examines the resurgence of annexation and the continuing growth of special districts and authorities and warns about some activities of functional specialists. Professor Jones exhibits particular interest in reorganization of the urbanized county as an approach to the metropolitan muddle. Metropolitan area students will find this part of the book a worthy supplement to the author's earlier related work.

Coleman Woodbury concludes with "The Background and Prospects of Urban Redevelopment in the United States." Emphasizing that redevelopment can be successful only as one part of an advance on a much broader front of urban life, he imaginatively and interestingly discusses numerous major urban problems, raising key questions and putting forth acute observations and conclusions. The essay is a most incisive and stimulating statement. Metropolitanism, political problems of social heterogeneity, urban planning, local government finance, organizations for improving local government, and representation and leadership in urban public affairs are considered in turn. Especially meaningful are his comments on the impact of tight group and class lines, the financial plight of cities in a high real income period, and the frequency of low morale and ineffective leadership.

The companion volume, *Urban Redevelopment: Problems and Practices*, deals with more technical considerations and is directed mainly to professionals and civic leaders in the planning, housing, and redevelopment fields. In "Measuring the Quality of Housing in Planning for Redevelopment," Allan A. Twichell shows the kinds of information that proper blighted area and screening surveys can produce and how best to obtain the desired data once the needs are determined. "Urban Densities and Their Costs," written by William H. Ludlow, analyzes the relations between various population densities and the costs of housing, public services, and urban businesses and industries and appraises density determinations for redevelopment projects. The role of private covenants in urban redevelopment, warnings about their utilization, and a case study of twenty years' experience with them in Radburn, New Jersey, receive careful scrutiny by Charles S. Ascher in "Private Covenants in Urban Redevelopment." William L. Slayton devotes considerable attention in "Urban Redevelopment Short of Clearance" to the experience with police power regulation of housing and the studies of rehabilitating areas.

Based on events in Chicago, "Relocation of Families in Urban Redevelopment" has wide applicability. Jack Meltzer and Sheilah Orloff speak forcefully and accurately, noting that haphazard redevelopment causes many relocation problems. The final part, "Eminent Domain in Acquiring Subdivision and Open Land in Redevelopment Programs," by Ira S. Robbins and Marian Yankauer, takes an unusual but effective means of presentation for the subject at

hand. The first portion is shaped as a legal brief, tracing the evolving concept of public use. The second indicates kinds of social and economic data appropriate and available for use in litigation over the validity of governmental action to "insure that such vacant land as is left in our cities will be used for the welfare of all" (p. 496).

These two volumes stand as impressive stock-taking, analysis, and advice on many major phases of urban life and growth. A listing of incidental criticisms would be inconsequential in comparison with the execution of the undertaking and would be like a flea biting at a citadel. The books furnish an agenda for further inquiry and action as well as an excellent informational source on past research and efforts. They reveal again the large-scale significance of many facets of urbanism and represent a magnificent challenge to researchers, public officials, and private leaders on the urban scene. How effectively and comprehensively will the challenge be met?

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Program Budgeting: Theory and Practice with Particular Reference to the U. S. Department of the Army. BY FREDERICK C. MOSHER. (Chicago: Public Administration Service. 1954. Pp. xiii, 258. \$5.00.)

This book is the outgrowth of studies that began with a focus on the military budget as an economic phenomenon, and moved to the processes of military budgeting as a cluster of problems in organization and administration. The result is a sophisticated and illuminating work which continually lifts the reader's attention from factual detail to significant question or generalization—"from technique to statesmanship," to use Paul Appleby's phrase.

For military practitioners it is a suitable textbook, particularly because of its chapters on the study of budgeting, on the setting of military budgeting, and on military comptrollers and the budget. For any civilian student of public administration and budgeting the main interest will lie in three central chapters on plans, programs and budgets, on military performance budgets, and on the budget process, together with the concluding recommendations stemming from these. Here is a first-rate contribution to the literature, at once empirical and theoretical.

Mosher dispels some illusions and confirms some suspicions. One of the former is the notion that a program or "performance" budget is a simpler substitute for the traditional forms of presenting estimates, either by the organization units that spend or by the objects (e.g., materials, personal services) to be bought. It is not a substitute but a new synthesis, emphasizing ends rather than means, superimposed on the older classifications, and much more complex to work out, however more enlightening the product may be. Another illusion is the notion that military budget administration in practice pays attention to the precept, cherished in military tradition, that authority and responsibility

should be commensurate. A post commander, according to this principle (and the author defers to tradition by listing, p. 6, seven such principles), should estimate for all his needs. But his basic needs, men and equipment, are determined for him in tables of organization and equipment already fixed; they are furnished gratis to him and estimated for him centrally. If his complement includes a band, the budget reviewer may surmise as much from the presence of an estimated figure for more sheet music, but the players and instruments are given and do not appear in his budget. One suspicion confirmed is that much military planning, including budgeting based on "requirements," is paper work irrelevant to any subsequent event.

Most significant, however, is the author's analysis of the problems and inner contradictions of the concept of a performance budget itself. A performance budget should be based on approved work plans. But for a military organization these are uncontrollably uncertain. The processes of developing them, and of meshing their annual and longer-term components over successive cycles of time, are too lengthy and too complex, and move through channels too distinct from the fiscal, to serve the need. The organizational difficulties are as baffling as the temporal. The Air Force is functionally organized and the Navy's performance budget is "functional in the same degree [as] the organization of Navy bureaus" (p. 85). But the Army, with its geographical area commands, its technical service commands (medical, signal, transportation, etc.), and its multi-purpose field installations, cannot possibly construct a budget classification according to performance goals that does not do violence to one or another of the prescriptions the Hoover Commission loosely lumped in a slogan. The segregation of capital from operating expenses poses another perplexing search for criteria. The attainment of economical procurement and issue of many items appears to involve setting up working capital funds, which thereupon drop out of any annual expenditure budgeting system. The reconciliation of responsible field operation with headquarters estimates based on political feasibility raises more than budgetary questions. "The performance budget is more a statement of direction and intent than a description of a current condition" (p. 123). The author recommends a performance budget, with lump-sum appropriations to a few suggested broad categories, for purposes of executive and congressional review, and an "administrative budget," along organizational unit lines, to be prescribed by delegated authority for purposes of internal management and control, as Budget Bureau apportionments are now handled; all within a much shorter time span.

The discussion of these and related topics marks a real advance in the clarification of an important and nebulous concept. Two matters his theory does not comprehend are the role of Congress in all this, and the role of a performance budget in times of emergency military build up when money does not matter and other instruments must be relied upon to insure that first things are put first.

HARVEY C. MANSFIELD.

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Tito's Promised Land. BY ALEX N. DRAGNICH. (New Brunswick: Rutgers University Press. 1954. Pp. 333. \$5.75.)

Two of the basic functions of the political scientist in foreign affairs are performed competently in Alex N. Dragnich's *Tito's Promised Land*. The author not only has brought together and analyzed a vast supply of data to make the finest available study of the contemporary Yugoslav state, but also has gone beyond the fact-finding process to raise some serious questions concerning Western policy toward that unhappy land. Dragnich has an impressive background for his task, including knowledge of the language and traditions of Yugoslavia which he secured from his Montenegrin immigrant parents, a good training in political science and Slavic studies at the University of California, a tour of duty for the American government in Washington and Belgrade, and intensive research and investigation in the Western and Slavic literature, all capped by several trips through Yugoslavia, where he interviewed government officials, many professional people and opinion leaders, and hundreds of peasants.

More than two-thirds of the book is devoted to a detailed analysis of Tito's regime. Serious attention is given to the rulers' efforts to find a rationale different from those found in the Soviet philosophy or Western theory; to the mechanisms in the fields of policy making, administration, law, propaganda and mass control, and economics; and to the results achieved and the strengths and weaknesses revealed, especially in relation to the needs and desires of the Yugoslav people. This is one of the best presentations of the subject, ranking in perceptiveness and insight with Josef Korbel's *Tito's Communism*, hitherto the best available in the English language, and surpassing it in quantity of detail, especially for the vital years after the Tito-Stalin break and the alleged "transition to democratic socialism" after 1950. This aspect of the book is invaluable to the Western student of foreign affairs and comparative government, providing analysis of up-to-date data and source materials which are as yet unavailable in English.

In addition to his study of the contemporary Yugoslav regime, Dragnich examines several historical developments relating to Tito's road to power. He concludes that Mihailovich, Tito's great rival in the civil war that raged between 1942 and 1945, was outsmarted by Tito and betrayed by the Western powers—in spite of Tito's inability to secure a real following among the Yugoslav masses and his failure to make a real contribution to the Allied war effort against the Axis. Although Dragnich does not fail to analyze Mihailovich's mistakes and shortcomings, which were serious, and while he does not overlook Tito's skillful tactics (including his exploitation of the uprooted and disorganized and his masterful propaganda operations), Dragnich believes that the "most important source of Communist success" was Western aid.

The key issue now for the United States is focused by Dragnich's sharp analysis on two questions. How strong is the Tito regime likely to be in any future crisis? Dragnich believes that there is deep and widespread hatred for that regime among the Yugoslav people. Moreover, he feels that the army, thought by many observers to be Tito's strongest power base, is actually deeply dis-

loyal, with the officers largely pro-Soviet and the enlisted men likely to refuse to fight for Tito in any conflict. Among the non-military masses, Dragnich finds the young people increasingly anti-Tito, and the older Yugoslavs yearning for significant political changes and even willing to accept the old prewar types of government if no other alternative to Tito is possible.

Dragnich's picture of the Yugoslav situation is full of despair and tragedy. In the urban areas, there have been some advances toward industrialization, but at tremendous cost in human blood, as well as money and materials. The people despair before the show of unreal aims, gross inefficiency and corruption in industry, terribly low standards of living, and even some unemployment. In the countryside, the peasants hate the collective farm system and resist the efforts to impose it upon them, and Tito's cause is not helped by the low rate of production and inefficient management. The clear outlines of the Soviet class state are already evident, with privileged classes in existence and growing with each passing year, while the standard of living among the masses is at an abysmally low level—"considerably below that of pre-World War II." Dragnich declares that "every Yugoslav citizen knows that Communist experimentation has been more ruinous to the economy than the direct consequences of the war"—and thus for material reasons does not support the regime. But more important is the fierce hatred which Dragnich found to exist among the masses for their Communist overlords, as a result of the stifling of civil liberties, the anti-religious campaigns, and the ubiquitous secret police. Even inside the Communist ranks, Dragnich found confusion and divided loyalties, with pro-Soviet elements, disillusioned idealists, and resentful party people accused of disloyalty because they are dissatisfied. Dragnich summarizes this situation by reporting that the American diplomats agree that 85% of the population are opposed to the Tito regime, that he himself now feels the figure should be 90%, and that Yugoslavs whose judgment he trusts insist that the figure should be even higher.

Should the United States continue to give material and political assistance to Tito? Dragnich feels that Western aid to Tito was wisely given in 1948, when there was some hope of splitting the Communist empire, and when Yugoslav aid to the Greek rebels and the threat to Trieste menaced fragile Western defenses. Today, however, Dragnich asserts that Western aid to Tito is no longer desirable in terms of our national interest or our moral principles. Our aid, he hints, simply bolsters a tottering regime, led by men who prefer living as equals in a Communist world and who maintain their uneasy alliance with the West on a temporary basis. Tito's interest in the Western orientation will continue only so long as he cannot get his supplies elsewhere and would be replaced if he worked out a satisfactory arrangement with Stalin's successors. Dragnich ends his discussion of Western policy toward the Yugoslavs with this question: "How can we justify contributing to an *indefinite* enslavement of those people?"

LOUIS NEMZER.

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Terror and Progress USSR: Some Sources of Change and Stability in the Soviet Dictatorship. BY BARRINGTON MOORE, JR. (Cambridge: Harvard University Press. 1954. Pp. xvii, 261. \$4.50.)

The Russian Research Center of Harvard University has published the twelfth book in its series of publications, a slim yet insightful volume by one of its senior research fellows, the author of the valuable analysis of Soviet society, *Soviet Politics—the Dilemma of Power*. In his latest book Dr. Moore has utilized Russian source materials and the interviews with Soviet refugees conducted in 1950–51 by members of the Russian Research Center in “an attempt to weigh with an eye to the future the sources of stability and the potentialities for change in the Bolshevik regime.” He has supplied many illuminating answers to the question of what people in different walks of Soviet life do when confronted with a series of situations which arise, as it were, from the logic of dictatorship.

The author begins by examining some of the problems with which the Soviet leaders have to contend, and the agencies of control which they utilize to solve them: the party, the secret police, the armed forces, and the “Soviet apparatus.” He then proceeds to an examination of the specific way in which these agencies operate in industry, agriculture, and the cultural sphere of the arts and sciences, and of the reactions, tensions, and pressures in the people over whom the controls are exercised. He points out that the dynamism of the Soviet economic system is due to the tremendous political pressure exercised from the top of the hierarchy downward, and suggests that if this drive for the prompt and efficient fulfillment and overfulfillment of production standards suddenly ceased or slackened, stagnation and collapse would ensue. Moore believes that disastrous as the agricultural collectivization program was, it was at the same time a highly practicable albeit ruthless way of breaking the political resistance of the conservative peasantry. Today, torn between the demand for increased agricultural output and the desire to maintain its political control over the peasantry, the regime finds the peasant question one of the “running sores” of the body politic. In respect to intellectuals, the author thinks that the Kremlin has been forced continually to compromise between its own demand for practical results and the amount of control that it entails, and the requirements of freedom and autonomy necessary for creative endeavor. Estimating that one in every five Soviet men has felt the iron hand of the police, and that of those subjected to it perhaps less than one-half were actually sentenced, Moore maintains that the regime is constantly having to avoid applying too little terror, thereby losing effective control of various sectors within society, and of employing too much coercion, thereby producing a complete collapse of morale.

The volume ends with a chapter entitled “Images of the Future,” in which Moore hazards some guesses as to the long-range tendencies of the present Soviet dictatorship. His forecasts tend to lie between the extremes of no foreseeable change in the future and total disintegration. He sees at present three possibilities of change. One is that there will be a continuation and intensification of the dynamic totalitarian characteristics of the Stalinist regime. He feels,

however, that this would require a consolidation and strengthening of power in the hands of a single leader as ruthless and as politically astute as Stalin. A second alternative would be a "managerial revolution," with a triumph of the technical bureaucracy. Such a change would hardly lead to democracy, but would be characterized by the rule of law and great social mobility. A third possibility is the coming into prominence of traditionalist elements, including a freezing of the status quo, the creation of a caste system, and the dispersion of power among despotic satrapies. The change in this direction of oriental despotism could come only with a cessation of hostilities between East and West which would allow a de-emphasis of dictatorship and industrialization. Moore feels that the second possibility is the most likely, although he does not rule out the third, and admits that he is dealing with ideal types. Any regime which may eventuate will contain elements of all three, with emphasis on one.

Dr. Moore has written a book which dramatically describes the politics of survival of both the rulers and the ruled in the Soviet Union. It is indeed a pity that he did not expand upon this theme, portraying it with many more examples than he has given us. The title is perhaps a misnomer, for although the use of terror by the regime in molding the human stuff to its will is insightfully elucidated, terror remains always as a backdrop. And industrial and economic progress has been possible only because there have existed spheres in which the politics of survival could operate. In other words, at least in this respect a completely monolithic society exists and is feasible only on paper.

In the reviewer's mind, the chief value of this book lies in its descriptions of the efforts of people caught in the Soviet bureaucratic web to create some sort of *modus vivendi*. Paradoxically enough, the regime endures because this is possible. The "private deals," the personal intrigues, the "family circles," the extra-legal operations, in short, peculiar and perverted forms of political compromise, become an absolute necessity for the individual, if he is to have any security in a monolithic police state. Moore's treatment sustains the conclusion that Soviet communism falls far short of realizing Engels' ideal of the "administration of things," that the government of men continues to flourish instead. Contemporary political scientists will do well to glean at least one lesson from Moore's essay, and that is that public administration has not replaced politics based on interest, even in a polity embodying planning, manipulation, and coercion—all directed without democratic or constitutional checks from a central authority.

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The Threat of Soviet Imperialism. EDITED BY C. GROVE HAINES. (Baltimore: The Johns Hopkins Press. 1954. Pp. xvi, 402. \$5.00.)

In August, 1953, the School of Advanced International Studies sponsored a conference in Washington on "The Problem of Soviet Imperialism." The twenty papers which were read and discussed at the conference form the chapters of the present volume. Its title, like the theme of the conference, is somewhat mis-

leading, for the real theme of these papers is the cold war in all its complexities and ramifications.

The first three papers discuss in the broadest outlines the Soviet attitude toward the non-Soviet world, its historical background, the baffling question concerning Soviet motivation, and the principles of Soviet strategy. Part Two is devoted to a survey of tools and techniques used by the Kremlin in its struggle with the West. Part Three contains an assessment of the most important features of strength and weakness in the Soviet world. Parts Four and Five give an area-by-area survey of the cold war, the forces that fight it out, the battle lines that have been drawn, and the prospects for further development. In the final paper, some implications for United States foreign policy are drawn on the basis of the preceding discussions.

A symposium in which half of the participants were State Department officials, and the title of which consists of loaded words, might well arouse caution or suspicion in the academic reviewer. Any such reserve, however, is unjustified in the present case. Instead, the outcome of this conference has been a first-class summary of cold war problems. It contains admirable individual contributions; it has been edited with skill; and it constitutes a valuable addition to the library of any student of contemporary world affairs. The elements of discontinuity inevitable in symposia of this sort have been kept at a minimum by a judicious balance in the overall outline. Since very few of the papers fall short of very high standards, the entire book provides almost uninterruptedly excellent reading. The inclusion of brief comments by discussants enriches the contribution of the main speakers, although it does tend to make the book a little more disjointed. Some of these comments are rather cryptic, and some are banal and superfluous. The only other criticism that might be offered is that the scope of each contributor's subject was so vast that many speakers had to talk in generalizations. Statements of this kind often raise more questions in the readers' minds than they answer.

In the discussion of Soviet motivation, in the first part of the book, Messrs. Kennan and Morgan have performed brilliantly indeed. And yet one misses a consideration of the Soviet *national interest*, which is clearly relevant for an understanding of Soviet foreign policy. Professor Barghoorn, who observes the skillful use made by Soviet propagandists of Western ideals and Western slogans, might have supplemented this by examining why the Kremlin finds it possible to use our own slogans with such success, though later speakers dealt with this problem at great length. Certainly every single contribution could be subjected to criticism in this manner, but it is clear that this would go beyond the confines of this review.

Some propositions can be singled out which run through all the contributions of this book. Every speaker took it for granted that the Soviet state and the world Communist movement constitute a grave threat to the existence and prosperity of the United States, and to the integrity of its institutions. Every speaker revealed a healthy respect for the skill which the Kremlin has shown in "exploiting intangibles," to use the happy phrase found by Admiral Stevens.

Most or all of them seemed to believe that it is these intangibles which will count most decisively in the cold war. Finally, many speakers seemed to agree that the United States and its agencies have shown themselves inept and clumsy in manipulating these intangibles; and the sobering impression that the cold war has not, so far, taken a course favorable to the United States is gained from the book.

A number of current clichés are rejected in these papers. Willis Armstrong in an excellent presentation shows that Soviet trade will never be a very dangerous weapon. D. Vernon McKay indicates that Africa is not likely to fall victim to communism in the foreseeable future. Perhaps the greatest surprise is the implication left by many speakers that the greatest threat to America lies not in Soviet strength or the Kremlin's aggressiveness, but in the possibility that the nations of Europe, Asia, and Latin America who have not yet been incorporated into the Soviet orbit might lose faith in the United States and cease to support us in the cold war. Paul H. Nitze's concluding words, which seem to echo the Administration's current "tough" language, therefore come as an anticlimax. One wonders just how much of the wise, restrained, and detached analysis of high-level foreign service officers such as the contributors to this volume ever reaches the ears of those who really make American foreign policy.

ALFRED G. MEYER.

University of Washington.

The Struggle for Indochina. BY ELLEN J. HAMMER WITH A PREFACE BY RUPERT EMERSON. (Stanford: Stanford University Press. 1954. Published under the Auspices of the Institute of Pacific Relations. Pp. xvii, 332. \$5.00.)

In Indochina the Communists have scored a significant triumph—their second in Asia since World War II. Americans with few exceptions had been led to expect a happier outcome. As it turns out, Indochina has furnished an almost classic demonstration of Communist strategy in a colonial setting. It is important to establish just what happened, and why.

Miss Hammer's book is a welcome contribution to the scanty literature in English. Wisely she refrains from trying to answer all the questions. And some of her judgments can be challenged. For the most part, however, she subordinates judgments to a straightforward, well-constructed narrative of events from the fall of France in 1940 to the eve of the Geneva Conference in 1954. Rupert Emerson adds a thoughtful preface pointing up the tragedy of the whole affair, and the dilemmas it has posed alike for Frenchmen, Americans, and the peoples of Indochina.

After telling the interesting tale of Decoux and the Japanese, the author turns to her main subject: France confronted with postwar Vietnamese nationalism. In some detail she describes the eight years of negotiation and fighting which followed upon the French attempt to return to Indochina in 1945. One learns much about French party politics and politicians in relation to Indochina, about the personalities and structure of the Bao Dai regime, and something of the Viet Minh before they passed behind the Iron Curtain in 1950. The

book is written from documentary and personal sources in France and the United States. Enough historical background is provided to introduce the reader to the more contemporary scene.

Miss Hammer tells the story in terms of lost opportunities. She blames extremists and blunderers on both sides for the war, *la sale guerre*, which sowed anarchy in the countryside and ended by delivering north Viet Nam (at least) into the Communist camp. The Communists she condemns for betraying the Vietnamese national revolution. Turning on their allies in the Viet Minh, they imposed a Communist dictatorship which overtly allied itself with Moscow and Peiping in 1949 and invited large-scale American and Chinese intervention. It is the French, however, specifically the Right Wing, on whom she places the underlying responsibility for the Communists' success in capturing and so largely retaining the leadership of Vietnamese nationalism through the postwar struggle.

For France the issue was really settled in 1940, says the author. Struck down by Hitler in Europe, France had also to suffer the disintegration of her prestige and authority in Indochina during Japan's humiliating overlordship. At the war's end she had no viable course of action, weakened and distracted as she was, but to come to terms with an aroused Asian nationalism. Instead, French policymakers and administrators grossly miscalculated the dynamics of the situation. Determined to return France to a paramount position, they rejected the demands of Ho Chi Minh's new coalition government for the unity and independence of Viet Nam within the French Union. Thus the opportunity was lost for a peaceful settlement in 1946, when the Viet Minh was far weaker and more conciliatory than it later became.

Thereafter military action could never solve the problem, as General LeClerc and others predicted. Nor did the accompanying political maneuvers to split the resistance movement—especially the Bao Dai experiment—achieve their hoped for results. To win over the Vietnamese *attentistes*, and still more Ho's non-Communist supporters, Bao Dai had first to convince them of his independence of the French. His regime had also to organize some representative political base and program. In neither did it carry conviction or inspire confidence. The immediate reason, in Miss Hammer's view, was the grudging, halting manner in which the French had to be driven to yield the substance of freedom—always too little or too late. More fundamentally, she attributes the weakness of nonrevolutionary nationalism in Indochina to France's longstanding colonial policies. They stunted the growth of a modern middle class and blighted its opportunities for leadership and self-expression in moderate channels. This is the burden of the author's argument.

It is possible to agree that the French blundered badly in Indochina, of course, and still take a more sympathetic view of their purposes and their objective difficulties after the war. Perhaps they would have done better to concede independence and national authority to the Viet Minh regime in 1946. But Miss Hammer herself describes it as already firmly in the grip of the Communists, despite its posture of moderation and conciliation. Its subsequent be-

havior shows all too clearly that it was merely applying the Trojan-horse tactics of the two-stage revolution long advocated by Ho Chi Minh in company with Mao Tse-tung. In the disunity and the political incapacity of the non-Communist nationalists, relative to the disciplined strength of the Communists, the French faced a more intractable problem than the British in India and Burma, or the Dutch in Indonesia. Besides faction-ridden Viet Nam, there were Cambodia and Laos, weak and fearful of their neighbor. And once again in the spread of communism the contiguous border becomes a strategic factor with the arrival of the Chinese Red armies in December, 1949.

After eight years the French could find no satisfactory way out of their policy dilemma, despite massive American aid. Prophetically, Miss Hammer quotes the 1950 speech of a Radical Socialist whose views were to win increasing acceptance by his party. Addressing the National Assembly, he rejected France's whole military effort and political policy in Indochina as falsely conceived and powerless to effect a solution. In their place he called for "concessions, large concessions" to reach an agreement with the Viet Minh. In 1954, when Pierre Mendès-France took the premiership, he moved at once to translate his words into action.

WILLIAM W. LOCKWOOD.

Princeton University.

Totalitarianism: Proceedings of a Conference Held at the American Academy of Arts and Sciences, March 1953. EDITED BY CARL J. FRIEDRICH. (Cambridge: Harvard University Press. 1954. Pp. viii, 386. \$6.50.)

This symposium is an attempt to develop an appraisal of the nature, origins, strengths, and weaknesses of modern totalitarian dictatorships. It is a provocative and balanced volume containing diverse papers and commentary by a veritable small army of scholars. Its contents range from an impressionistic paper by George F. Kennan to a speculative model by Harold Lasswell.

A number of basic issues are discussed. One of these is the question of whether totalitarianism is a historically unique phenomenon without genuine precedent or a trait which has characterized various earlier authoritarian societies. Nicholas Timasheff takes the latter position and, with the help of a rather elaborate system of distinctions and categories, suggests a quantitative approach to the study of the phenomenon. Carl Friedrich contends that totalitarian society, like the Greek *polis*, is *sui generis* and then identifies a series of characteristics which support this view. Probably the question is really one of the extent to which the totality can be escaped and whether or not it was easier to evade it in the past than it is now. If escape and evasion are less likely now as a result of the development of political technology, then Friedrich's thesis appears to be the stronger one.

Many other questions also receive attention. The nature of Soviet and Nazi anti-intellectualism and the attitude of the two regimes toward science are treated quite fully in the papers of Raymond Bauer, H. J. Muller, Bertram Wolfe, and Else Frenkel-Brunswik, as well as in the commentary by Hannah

Arendt. The function of terror and tensions is well defined by Jerzy Glikzman, Alex Inkeles, and George Kennan. The role of ideology is dealt with in the papers of Carl Friedrich, Raymond Bauer, Alex Inkeles, and the late Waldemar Gurian. Of special interest to political scientists is the paper by Karl W. Deutsch, which contains a series of hypotheses and categories for determining the effectiveness of totalitarian regimes.

A number of questions were raised but not fully discussed. Among these was the question of the contribution of Christianity and democracy to the context from which totalitarianism emerged. Another problem not fully explored—although discussed to some extent by Andrew Gyorgy in his commentary on the proceedings—was that of how “total” a regime must be to be genuinely totalitarian. A more impressive effort also could have been made to define the respective roles of rationality, irrationality, and nonrationality in decision-making under totalitarian systems.

The study of a phenomenon such as totalitarianism obviously requires a multi-faceted approach, and a number of disciplines and varieties of experience are represented in this symposium. It is unfortunate, however, that the extent to which social scientists do not speak the same language is so much in evidence. An additional problem is that of comparability of data. The psychologists employ a rather abstract and generalized approach, concerning themselves almost as much with manifestations of embryonic totalitarianism among Americans in 1953 as among Germans in the 'thirties. Yet they almost completely ignore the Russian species of totalitarianism. Their discussions of the psychic needs fulfilled by totalitarian ideology, the characteristics of the totalitarian personality, and the conditions of ideological compliance are based on very limited data but do offer many insights and apparently valid hypotheses although they are sometimes buried in verbosity.

This is a symposium of substance on a subject which, unfortunately, has long been neglected by too many political scientists. It contains much data of the kind which too often has not been included in courses in comparative government. If the volume lacks a certain unity it is probably due to the fact that all participants were not fully acquainted with all totalitarian regimes. This condition might also be regarded as inherent in symposia of any size unless the editor himself employs totalitarian methods. Yet a symposium of this type serves a very real purpose to the extent that it reflects a genuine exchange of views, facilitates further interdisciplinary research, defines the key issues, and clarifies areas of disagreement. In terms of these criteria, the editor and his fellow-participants in the conference have succeeded in producing a volume of consequence.

JOHN S. RESHETAR, JR.

Princeton University.

Supreme Court and Supreme Law. EDITED BY EDMOND CAHN. (Bloomington: Indiana University Press. 1954. Pp. ix, 250. \$4.00.)

This volume, the outgrowth of the New York University Law School's commemoration of the one hundred and fiftieth anniversary of *Marbury v. Madison*,

contains papers presented by Edmond Cahn, Ralph F. Bischoff, John P. Frank, Paul A. Freund, Willard Hurst, and Charles P. Curtis. The eight chapters represent an attempt to describe and appraise the institution of judicial review in action from 1803 to 1953 and, as the editor states in the preface, the essays "present questions of policy and judicial statecraft that are enormously important because they cut sectionally across the entire corpus of constitutional law" (p. vii). The book deals specifically with such matters as constitutional change, justiciability, the process of constitutional construction, and the impact of judicial review upon federalism, civil liberties, the distribution of national power, and majority rule.

As regards justiciability, Professor Bischoff believes in a relaxation of the Court's insistence upon the presence of parties with a material interest in cases involving civil liberties, just as Professor Frank is in favor of narrowing the concept of political question in similar cases. In his longer essay, "Review and Federalism," Professor Freund provides a good account of the impact of judicial review upon federal power, which has increased as judicial review has declined.

Perhaps the most controversial chapter of the book is Professor Frank's essay, "Review and Basic Liberties," in which he concludes that judicial review in the expectations of the Founding Fathers has been "in its relation to basic liberty . . . a failure of prediction almost as great as the electoral college" (p. 130). This does not mean that Mr. Frank is opposed to judicial review. On the contrary, he desires more of it, but in what he regards as the right instances. Accordingly, among other devices to extend judicial review in civil liberties cases, he recommends the contraction of the area of non-justiciability, enlargement of the concept of standing of parties to raise constitutional issues, and reversal of the traditional presumption of the validity of statutes into one of invalidity in cases affecting basic liberties. In some instances his last suggestion has already been followed by the Court in decisions granting a "preferred position" to freedom of speech, the press, assembly, and religious worship. Professor Frank apparently prefers a double standard of judicial review in that he is willing for the Court to be abstemious in the invalidation of legislation not affecting basic liberties by resting constitutionality in such cases upon the traditional formula of reasonableness, but anxious for the Court to be activist when statutes are challenged as infringing the basic freedoms. Double standards of judicial review are not new, as all know who are familiar with the history of the distortion of liberty into freedom of contract and the later application of the "preferred position" principle. Although Mr. Frank expressly asserts that he would not have the Court accept a roving commission to correct evil, his demurrer is hardly convincing because there is a fundamental incompatibility between restraint and activism which produces in turn a rather cruel dilemma for those juristic libertarians who support the extension of legislative and executive power into some areas but seek judicial intervention when the extended power of government intrudes upon civil liberties. Professor Hurst raises less controversial issues in his discussion of "Review and the Distribution of National Power," where he describes the extent of abdication by the Court as

final censor of legislative and administrative action. In the final chapter, "Review and Majority Rule," Mr. Curtis concludes that John Marshall "snatched from the majority and offered to our courts, the function of rendering our political decencies and aspirations into immanent law. What we owe to John Marshall is the opportunity he gave us of combining "a reign of conscience with a republic" (p. 198).

Professor Cahn and his associates have provided a volume of an unusually high uniform quality for a collective effort and one highly suggestive for the continuing study of that institution which "combines a reign of conscience with a republic."

ROBERT J. HARRIS.

Vanderbilt University.

Robert M. LaFollette: June 14, 1855-June 18, 1925. BY BELLA CASE LAFOLLETTE AND FOLA LAFOLLETTE. (New York: Macmillan Co. 1953. 2 vols. Pp. xx, 730; vii, 731-1305. \$15.00.)

This is an unusual biography of an important American political leader and statesman. The first biography of Robert M. LaFollette, it is a "family" biography in the sense that it was begun by his wife and completed by his daughter, but it is immeasurably superior in concept and execution to most such works. It is solidly based upon the vast collection of LaFollette letters and papers, which are extensively quoted; it draws upon the rich personal knowledge of the two authors, who were each actively associated with the Senator's political career; and it is as conscientiously objective in narration as the intelligence and integrity of the authors, combined with their deep affection and loyalty for the Senator, could make it. The result is a full and detailed account of the long political career of one of the giants of the American past, dramatic in the telling as it was in life, and revealing LaFollette (with Bryan, Theodore Roosevelt, and Wilson) as one of the four dominant political figures in the United States from 1890 to 1920.

LaFollette was actively engaged in politics throughout his mature life. Elected district attorney at age 25, he served in that office 1881-1885, as Congressman 1885-1891, as leader of Wisconsin Republican insurgency 1892-1900, as governor of Wisconsin 1901-1906, and as United States Senator 1906-1925. In addition, he was a leading contender for the 1912 Republican presidential nomination and in 1924 polled almost five million votes as an independent presidential candidate. It is this long and prominent career, with LaFollette at the center of successive major political battles, which marks him as one of the important professionals in our political history and makes him of such great interest to political scientists. His long-sustained leadership role, so richly annotated in these two volumes—ranging from his fight for the McKinley Tariff in 1890, through the dynamic "Wisconsin Idea" of his governorship, his leadership of the Progressive movement of 1910-12, his opposition to Wilson's war policy, his fight against the Versailles Treaty and the League, to the culmination of his career in the third-party effort in 1924—makes the story

of his life an illuminating synopsis of much of American political history in the half-century from Cleveland to Coolidge.

There are some major disappointments in this distinguished biography. The first of these is the brief and inadequate treatment of the Wisconsin phase of the LaFollette career, particularly his decade of struggle in the '90's to capture and make a progressive instrument of the Republican state organization and his great record as governor of the state. This was the period in which his distinctive political ideas and methods were developed and the period when he exercised his outstanding talents as a chief executive to make Wisconsin a great example of enlightened government. Yet less than 200 pages are devoted to his pre-senatorial career, as contrasted with the 1,000 pages given to the period following 1906. A second defect is the disproportionate detail (the whole of the 500-page second volume) devoted to the 1917-1925 period, in contrast with the much briefer treatment of his central role in the Senate during the Roosevelt-Taft years and of his great national influence on the beginnings and growth of the Progressive movement from 1910 to 1912. There is, too, a consistent tendency to concentrate upon the issues which LaFollette emphasized and to neglect the story of his relationship to the party system, to the interest groups which supported or opposed him, to his party colleagues and rivals, and to the broad social movements upon which his leadership depended. The authors may have felt that these are matters for others to relate.

However this may be judged, there remains the problem of the one-dimensional effect produced by the biography. LaFollette occupies the center of the stage—all else is background; the story is told as LaFollette saw it; his policies and decisions are explained, not weighed or questioned. The reader frequently gets the impression that time stopped in 1925; that the flow of events since then, and our greater knowledge of what happened in the late nineteenth and early twentieth centuries, have provided no new perspectives from which to judge, by results, the wisdom of the leaders who contended for and against tariffs, trusts, direct primaries, isolation, war, the League, and the return to normalcy. In any such account LaFollette will emerge not without fault but with great stature. This family biography will provide a rich storehouse for such a future critical and analytical biography.

WALLACE S. SAYRE.

Columbia University.

BOOK NOTES AND BIBLIOGRAPHY

AMERICAN GOVERNMENT AND POLITICS

A Court for Children: A Study of the New York City Children's Court. By ALFRED J. KAHN. (New York: Columbia University Press. 1953. Pp. xxii, 359. \$4.50.)

The problem of "individualized justice" as it is practiced in the juvenile court has received less attention from political scientists than it would appear to warrant. The problem is two-fold. One aspect is the need to balance the child's and his family's rights to protection from well-meaning but arbitrary interference with the flexibility necessary for individual treatment and care where the state has established its right to intervene. Fortunately the New York court which Dr. Kahn studies appears to be more careful than most in this respect and Dr. Kahn has little reason to be concerned, aware as he is of the problem. One might comment in passing, however, that his otherwise adequate bibliography omits the more outstanding writings in this area, such as those of Judges Waite, Woodward, and Vanderbilt.¹

The second aspect of the problem, and the one implicit in Dr. Kahn's work, is the question of criteria. Once the comparative certainty of the penal code has been, for humanitarian and pragmatic reasons, abandoned, what can be put in its place, so that "individualized" shall refer to the child and his situation rather than to the judge? Dr. Kahn makes his judgments of the court in the light of a "yardstick" of values which could perhaps best be summed up as those of a humanitarian clinicism. With some reservations, he finds the court sadly lacking by these, or, in fact, by any other reasonable standards. He paints a pathetic picture of judges who lecture children on the Ten Commandments, extract meaningless promises from them "to be good," and erect for themselves routinized or im-

pulsive criteria of judgment; he tells too of probation officers who fail to make of probation anything but the most superficial of experiences.

Public indifference, overworked probation officers who lack professional training and skill, judges who are ill-equipped or jealous of their prerogatives—these are the identifiable factors which hinder the realization of what Dr. Kahn calls his "still unrealized dream." That this dream is by no means a monopoly of social workers is shown by the almost identical diagnosis and recommendations of a group of lawyers who have studied the same court.² What neither group has examined—and what Dr. Kahn, in view of his declared values, certainly could not be asked to examine—is the question of whether the values implicit in humanitarian clinicism can or ought to be the predominant values in approaching the problem of society's demands on the individual, youthful or mature. There seems to be room to question whether the judges' fumbling attempts, for instance, to impose their own versions of morality on children is due solely to ignorance or obstinacy, or whether it does not in fact represent some confused recognition of the need for something more of a moral content, some greater investment of the human will, than clinicism can provide. No one would wish to deny that clinicists have contributed to our knowledge of causes and treatment. The question is not whether clinicism is useful, but whether it does not need to be integrated into some larger framework.

These are questions for further study. The successes, excesses, and failures of "individualized justice" provide a fruitful commentary on the dilemma of our times. Dr. Kahn's book is excellent case material. It is courageous, fair, well-documented, illuminating, and essentially practical, particularly in the sphere

¹ The best discussion of this problem is contained in The United States Department of Health, Education and Welfare's *Standards for Specialized Courts Dealing with Children* (Washington, D. C., 1954), prepared in cooperation with the National Probation and Parole Association and the National Council of Juvenile Court Judges.

² *Children and Families in the Courts of New York City*, A Report by a Special Committee of the Association of the Bar of the City of New York and a Study by Walter Gellhorn, assisted by Jacob D. Hyman and Sidney H. Asch, on the "Administration of Laws Relating to the Family in the City of New York" (New York, 1954).

of administrative reorganization. It is recommended both to those who wish to acquaint themselves with the practical problems of juvenile courts and those whose interest is in the more abstract problems presented.—ALAN KEITH-LUCAS, *University of North Carolina*.

Federal-State-Local Tax Correlation: Symposium. (Princeton: Tax Institute. 1954. Pp. viii, 248. \$5.00.)

The Tax Institute selected the formidable subject of intergovernmental fiscal relations for its 1953 symposium. Twenty-two persons, representing universities, business, and government, sought over a two-day period for means by which our three levels of taxation could be brought into balance. For the purpose, primarily, of analyzing American practice and prescription, the managers of the symposium organized the papers and discussion in five parts: background considerations, intergovernmental relations, federal aid and state aid, conflicts of jurisdiction, and potentialities of cooperation. The finished product, as might be expected, suffers from a lack of balance. Yet it can be said that this little volume embraces much of the experience and wisdom that has been distilled from the many studies of the problem of intergovernmental fiscal relations during the past twenty-five years.

The supporters of separation of tax sources as between the federal and state governments will receive no comfort from these pages. Paul Studenski characterizes the proposal for tax source separation as "an attempt to turn the clock of history backward." He goes on to say that the development of overlapping federal-state taxation has not been wholly irrational; the two levels of government, with revenue requirements not always overlapping in time, have naturally moved in on a tax source which was not being used to full capacity. And even if such a separation should be imposed, Studenski concludes, the fluctuating revenue requirements of the states and the nation would soon lead to its abandonment. The U. S. Commission on Intergovernmental Relations, which has received many recommendations for tax source separation, will find it difficult to overcome the arguments presented in these pages.

The familiar subject of federal and state grants-in-aid is discussed by Mabel Newcomer. She finds the fundamental objections to grants-in-aid to be that they (1) undermine home rule and promote centralization, (2) lead

to the distortion of governmental services, (3) redistribute wealth, geographically, in a wasteful and unfair manner, and (4) promote irresponsible spending and consequent waste. While certain specific programs may be open to criticism, she does not find any substantial evidence to support the four fundamental objections. Piecemeal though the development of federal and state aid may have been, she concludes, "Piecemeal revision of a piecemeal growth can conceivably result, given time, in a rational and effective system."

What, then, are the "potentialities of cooperation" if we cannot look forward to tax source separation or the abandonment or serious curtailment of grants-in-aid? As revealed by the concluding part of this symposium, these seem to lie in the continuation, at an accelerated pace, of the present beginnings of administrative cooperation among federal, state, and local tax administrators. Uniformity in definitions for tax purposes, coordinated action on domicile problems, interstate cooperation in the development of allocation formulas for corporation taxation, acceptance of the tax audits of one jurisdiction by another—these and many more are proposed as means for the reduction of administrative conflict. The much-abused tax administrator, whatever his habitat, may find solace from the recognition in this book of the significance of his work.—WELDON COOPER, *University of Virginia*.

The Regulation of Businessmen. By ROBERT E. LANE. (New Haven, Conn.: Yale University Press. 1954. Pp. xiii, 144. \$3.75.)

This book is the first serious study of the responses of businessmen to regulation. It is principally concerned with business attitudes toward federal acts of general application: the trade regulation statutes, the labor relations acts, and the wage-hour law. The study draws upon the reports of federal agencies, which of course are of limited utility because enforcement is fragmentary and reporting is poor. In addition, the author interviewed twenty-five New England businessmen and several federal administrators and made a content analysis of two long runs of the journal of the Manufacturers Association of Connecticut. The author has thoroughly digested the behavioral sciences and the principal tools employed are concepts from psychology, sociology, and opinion analysis. Numerous graphic

and tabular representations will assist or vex the reader.

A number of the conclusions appear to be well substantiated. Resentment towards and violation of regulatory laws by businessmen do not spring, in the main, from economic causes. Resistance to regulation is a defense of the businessman's conception of the good society and of his social role, or, more accurately, a defense of his conception of proper power relations in society. These values, like others, are socially conferred; they are common to the community to which the businessman belongs. But there is no single business community, nor are a man's associations solely in his business. Large businesses tend to be more law-abiding than small; those in cities resist change less bitterly than those in small towns. Moreover, within a single firm one may find occupational attitudes peculiar to the lawyer, the personnel man, or the public relations man. Between businessmen as a whole and administrators, however, there stands a great gulf. Burnham's thesis of the "managerial class" is shown to be pure fiction.

The tools of opinion analysis brought to bear in this book make it possible to replace impressionism with scientific findings. It is probable, however, that the author is unduly optimistic when he looks forward to a resolution of the conflict of economic interests by a regulatory administration informed in "the growing knowledge of inter-personal and inter-group relations."—FRANCIS D. WORMUTH, *University of Utah*.

Is There a Republican Majority? Political Trends, 1952-1956. BY LOUIS HARRIS. (New York: Harper & Bros. 1954. Pp. xviii, 231. \$3.50.)

Louis Harris, research executive with Elmo Roper, has presented a readable analysis of recent election returns and of six pre-election polls and one post-election poll conducted in 1952. A principal value of using poll data to study political behavior is that voting preferences can be related directly to the social characteristics of the voters. The author's tabulations show that Eisenhower was supported by a coalition of executive and professional, white collar, independent, upper income, college educated, German-American, Irish-American, farmer, and feminine groups, while Stevenson was supported by a coalition of labor, low income, lower middle income, Italian-American, Polish-American, Negro,

Jewish, Catholic, and less educated groups. These two coalitions had within their ranks conflicting tendencies on foreign and domestic policies.

In his study of the candidates, Mr. Harris shows that while Stevenson gained in popularity, Eisenhower did not lose any. An increasing number of people thought Stevenson a man of high intelligence and attractive personality, but the number regarding him as a man inspiring confidence remained small. The polling method thus sharpens our perception of the role of the personality of the candidate in the campaign.

In order to appeal to a wider audience, Mr. Harris has sacrificed details which are essential to research technicians. He does not present the numbers on which the percentages are based, and does not give the important cross tabulations; he does not describe his questionnaire design in which such concepts as white collar, upper and lower income are defined; nor does he describe the sampling design. The turnout index which was used to calculate most of the figures was based on a post-election estimate of the actual proportion of 1952 voters in the total population. Because of the author's insight in interpreting his materials, however, the book is an excellent contribution to the understanding of American party trends.—HAROLD F. GOSNELL, *Washington, D. C.*

Letters on Public Administration: From a Dean to His Graduates. BY LENT D. UPSON. (Detroit: Citizens Research Council of Michigan. 1954. Pp. xi, 178.)

In content, this book consists of six "letters" which, as the title indicates, the late Dean Upson wrote (over the years, with revisions from time to time) to his graduate students. Actually, the letters turn out to be essays written in informal, conversational, indeed highly personal style. The first four obviously were done, as another reviewer has said, with tongue in cheek. The fifth ("How to Graft") marks Dr. Upson as a master of the curve ball. The sixth, and as public administration the best, of the letters was written in serious and purposeful, but also good-humored, vein. I propose to leave the reading of the book to anyone who may be interested enough to pick it up—it is worthy of and doubtless will command a wide audience—and to comment briefly on the letters from the three principal

points of view which their style and content invite.

First, as *humor*, the letters are good fun: they are whimsical, light-hearted, witty, sometimes gay. They reveal a fine sense of the incongruity which almost always provokes a smile. They also reveal an author who could laugh at himself and all his works, not to mention the works of most other writers as well. One suspects that the letters succeeded well in what clearly was their primary objective, namely to amuse the audience for which they were written.

Second, as *literature*, the letters leave a good deal to be desired. (I would not invoke this criterion except that the author, on p. 36, lists the ability to write and speak "the King's English" as a primary attribute of an administrator. He comments that most people around a university are fairly intelligent, but that practically nobody knows how to write and speak so as to make himself understood.) The author's style is so very conversational that it loses considerable through simple reduction to print. There are frequent grammatical slips. Worse, the proof was very poorly read: witness "sound" for "second" (p. 7), "scaler" for "scalar" (p. 8), "meanful" for "meaningful" (p. 15), "underlying" for "underling" (p. 33), and so on to "demurer" for "demurrer" toward the end of the book (p. 174). "Up" deserved better of his academic executors.

Third, as *public administration*, the book is wholly lacking in system and plan. There is no skeleton on which the essays depend, and there is no common thread running through the series unless the author's humor be taken as providing the underlying motif. In subject matter the letters are uneven, probably for no more obscure reason than that they were designed to entertain rather than to instruct. As a not unnatural consequence substantive disharmonies appear, so that Dean Upson's unquestioned technical mastery does not show through consistently.

Some of the author's friends and admirers—and they are legion—may inquire, "What do you want for a dollar-seventy-five, a combination of Browning, Bryce, and Benchley?" Conceding the point, let's apply the one standard which seems the most appropriate and with which Dean Upson, in the circumstances, presumably would have been the most pleased. I find little of Browning here, and not much more of Bryce; but as Benchley, the

Letters are good.—ROSCOE C. MARTIN, *Syracuse University*.

A Descriptive Catalogue of Government Publications of the United States, September 5, 1774–March 4, 1881. BY BEN: PERLEY POORE. (Washington: Government Printing Office. 1885. Ann Arbor, Mich.: J. W. Edwards, reprinted, 1953. Pp. 1392. \$14.40.)

The above basic catalog of United States public documents, together with the two volumes of the *Comprehensive Index*, 1881–1893, of Ames, and the *Checklist of United States Public Documents, 1789–1909*, all three of which have been out of print and increasingly difficult to obtain, have been reissued in facsimile reprint editions under the auspices of the Joint Committee on the Reproduction of Bibliographical and Reference Works appointed by the Reference Librarians Section of the Association of College and Reference Libraries (ALA) and the Association of Research Libraries. Poore and Ames were both prepared at a time when very extensive collections of public documents were not readily available. Increasingly for the period previous to 1893, when the office of the Superintendent of Documents was created at the United States Government Printing Office, there is a need for the reworking of the material in both Poore and Ames in view of the present status of collections of public documents and of present-day needs for information.—J.B.C.

Party Politics in the Golden State. BY DEAN R. CRESAP. (Los Angeles: The Haynes Foundation. 1954. Pp. xi, 126. \$2.50 cloth, \$2.00 paper.)

This monograph presents a comprehensive and scholarly picture of the structure and operation of the California party system at every level of government. Such subjects are included as state regulation of parties, state and local executive organization, the state convention, the relationship between state and national party organizations, partisanship in the legislature, the nominating process, the conduct of campaigns, and party leadership. A final chapter presents a plea and sets forth the conditions for a more responsible two-party system in the state. Interviews, personal observations, and questionnaires as well as written sources were employed in securing the data used. Such studies are needed in every state if the intricacies and variations of our national two-party system are to be thoroughly understood.

Civil-Military Relations: An Annotated Bibliography, 1940-1952. BY COMMITTEE ON CIVIL-MILITARY RELATIONS RESEARCH OF THE SOCIAL SCIENCE RESEARCH COUNCIL. (New York: Columbia University Press. 1954. Pp. x, 140. \$2.00.)

This selective bibliography begins chronologically at the termination date of the Social Science Research Council's 1940 publication on *Civil-Military Relations: Bibliographical Notes of Administrative Problems of Civilian Mobilization*. It includes only English titles and focuses on the United States, with some related listings from British Commonwealth experience. Its aim is to include titles which will reveal procedures for making policies at levels where policy decisions are of joint concern to civilian and military officials. References to other bibliographical sources for the United States and Great Britain are given in the introduction. An index is included.

Management in the Public Service: The Quest for Effective Performance. BY JOHN D. MILLETT. (New York: McGraw-Hill Book Co. 1954. Pp. xi, 417. \$5.50.)

This text is planned as one of two volumes, the as yet unpublished one to deal with the "politics of public administration," while this one is on "the operation of administrative agencies as such." It treats problems of management which are common to the different agencies and takes as the apex of attention the department head or other chief agency officer. There are chapters on "work direction," including leadership, planning, communication, supervision, and public relations; on "work operation," including organization, budget and fiscal operations, personnel, legal service, and management improvement; on "internal services," including capital, plant, supply, etc.; and a final chapter on "The Value of Management." It should serve as a useful text for those desiring emphasis on management.

Ford: The Times, the Man, the Company. BY ALLAN NEVINS. WITH THE COLLABORATION OF FRANK ERNEST HILL. (New York: Charles Scribner's Sons. 1954. Pp. xx, 688. \$6.75.)

While this book states as its purpose the relating of the story of the Ford Motor Company from its antecedents through its attainment of spectacular success by the middle of World War I, it is also, as the title implies, a biography of the firm's central figure—the

first attempt at depicting Ford from the extensive use of inside sources. Professor Nevins, his collaborator, and his research staff have had full access to the Ford Archives, a treatment accorded no previous biographer, with the result that here is a rather appreciative, somewhat discursive, but quite full account of the Company and the man.

Le Système Constitutionnel des États-Unis d'Amérique: Histoire Constitutionnelle. BY ANDRÉ TUNC AND SUZANNE TUNC. PREFACE BY RENÉ DAVID. (Paris: Éditions Domat Montchrestien. 1954. Pp. viii, 507.)

This is a comprehensive, well-annotated survey of the constitutional history of the United States from the earliest colonial period through 1952, with interesting comments on the complexities of the American legal system as it looks to those trained in the civil law. This is the first of three volumes planned by the authors to fill a gap in French literature on the United States Constitution.

The American Government: Democracy in Action. BY CHARLES E. MERRIAM AND ROBERT E. MERRIAM. (Boston: Ginn & Co. 1954. Pp. xi, 944. \$6.25.)

This text is the result of a joint attempt by the late Professor C. E. Merriam and his son, Robert E. Merriam, to introduce a fresh approach to the beginning course in American Government. Departing from the traditional sequence, the authors take up first state government, then local, and finally national. As to the effectiveness of this device, the individual teacher will have to decide for himself. The text on the whole is somewhat detailed and ponderous, although attempts are made to lighten it by including a profusion of illustrations, charts, and graphs.

I Protest. BY G. BROMLEY OXNAM. (New York: Harper & Bros. 1954. Pp. 186. \$2.50.)

Bishop Oxnam's account of his experiences with the Velde Committee and of the procedures used by investigatorial committees.

Local Government and Administration: Principles and Problems. BY JAMES E. PATE. (New York: American Book Co. 1954. Pp. ix, 595. \$5.75.)

A textbook in which principles and problems are treated sometimes with reference to local government in general, sometimes with reference to a particular unit. The municipality is

given more extensive consideration than other units.

Newton D. Baker and His Books. By WILLIS THORNTON. (Cleveland: The Press of Western Reserve University. 1954. Pp. 85.)

A reproduction of selected comments written by Newton D. Baker on the margins of many of the books in his large personal library, which was given after his death to the Cleveland College Library of Western Reserve University. The comments are woven together by the explanations of the author.

Building a Better Home Town: A Program of Community Self-Analysis and Self-Help. By H. CLAY TATE. (New York: Harper & Bros. 1954. Pp. xvi, 236. \$3.50.)

A presentation of the merits of urban decentralization with reference to the small city rather than the metropolitan suburbs, and an analysis of the Central Illinois Community Betterment Program carried on cooperatively by *The Daily Plantagraph* of Bloomington and the University of Illinois, closing with a formula for community improvement based on this experience.

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FRANKLIN L. BURDETTE

• *University of Maryland*

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FOREIGN AND COMPARATIVE GOVERNMENT

The Future of the House of Lords. EDITED BY SYDNEY D. BAILEY. (London: The Hansard Society. 1954. Pp. 180. 10/6.)

This symposium on the House of Lords first appeared in *Parliamentary Affairs*. By making it available in book form the Hansard Society furthers its splendid work of acquainting the public with all phases of parliamentary government.

There might be some question as to whether the title is not misleading, since this collection of articles deals but little with the future. The editor justifies the title by pointing out that knowledge of the past and present is essential to plans for the future. The book is important, nevertheless, not so much for what it reveals about the future of the House of Lords as for the light cast upon the development and operation of the British constitution by the examination of a major element of that constitution.

For example, the article by V. M. R. Goodman on "Appellate Jurisdiction" traces the history of the House of Lords as a judicial body. An excellent description is provided of the constitutional problems which faced the government in the 19th century when it began to appear that the Lord Chancellor was the only peer qualified to hear legal arguments. This impasse was solved by empowering the Crown to confer baronies for life on persons with high legal qualifications. Thus the House was enabled to remain the representative of the High Court of Parliament in judicial affairs. Again illustrating how the British constitution may develop, the author suggests that the Law Lords in moving from the House chamber to a committee room in 1947, to escape the

noise of a pile driver used in rebuilding the Palace of Westminster, may have set in motion profound developments in the constitution. This "Appellate Committee's" sittings have continued in a separate room though the cause for moving has disappeared. While judgment is reserved for the House, the committee hears arguments without interference from the general business of Parliament.

Although the symposium covers most aspects of the House of Lords, including "The Queen in Parliament," "Should Peers be Paid?", and "The Delaying Power," the usefulness of the volume for a political scientist might have been increased by including an examination of the educational, vocational, and political characteristics of the peers. Also valuable would have been a statistical analysis of the bills delayed by the peers as well as an examination of the socio-economic background of recently created peers.

There is some unevenness of quality (and some repetition) among these articles, but many of them are valuable indeed. Sydney D. Bailey presents a well-documented account of "Life Peerages." R. W. Perceval's description of "The Origin and Development of the House of Lords" is a concise and scholarly survey of considerable merit. Lord Campion's discussion of "Second Chambers in Theory and Practice" is a sweeping and thoughtful analysis of second chambers in general. Classifying second chambers as "strong" (co-ordinate) or "useful" (limited), he examines those of most governments in the Western world. He concludes that a "useful" chamber may "perform its minor but valuable functions in a spirit of

objectivity." His conclusions with regard to a "strong" second chamber are less sanguine, for he believes that "in the end party spirit will use its strength to kill its usefulness."

One of the most valuable features of this volume is the appendix. Here are to be found letters patent creating a baron; writs of summons to a new Parliament; An Act For the Abolishing the House of Peers, 1649; reports of the Bryce (1918) and Roseberry (1908) committees; The Parliament Acts, 1911 and 1948; and the statement issued by the conference of party leaders on the Parliament Bill, 1948.—JOHN R. WILLIAMS, *West Virginia University*.

Uruguay: Portrait of a Democracy. BY RUSSELL H. FITZGIBBON. (New Brunswick, N. J.: Rutgers University Press. 1954. Pp. xiv, 301. \$5.75.)

In this worthwhile new book Russell Fitzgibbon paints a full-length and distinguished portrait of a small but remarkable South American nation. It is particularly fortunate that this study of Uruguay, a country in so many ways the exception to the rule among Latin-American states, was undertaken by a person of Professor Fitzgibbon's broad experience in the area, for he brings to it a rare ability to evaluate and to underline the differences which set Uruguay apart from its neighbors.

Here, as the author demonstrates, is a Latin-American country that has overcome the difficulties which beset its sister-states and achieved its own type of democracy, based on a politically responsible government that administers progressive social legislation honestly and faithfully and that participates in a broadly conceived and expanding semi-socialistic economy for the benefit of the general population. Obviously, from the way he writes and the things he says, Professor Fitzgibbon approved most of the things he saw in Uruguay and found its citizens *simpático*. He points out certain weaknesses in the Uruguayan way of life, such as the disparity between the economic and social conditions found in Montevideo and those in the hinterland, but he tempers this with a higher proportion of favorable comments about life in a country whose citizens have, as he puts it, learned to enjoy themselves.

The book is not primarily a monograph on government as the title might seem to indicate; instead, as the dust jacket states, it is "an informal survey of the Switzerland of

Latin America." Its pages are crowded with a wide range of things Uruguayan—geography, history, art, economics, politics, and the like, together with a liberal sprinkling of introductions to the persons past and present who have made these things what they are. Reading the book leaves one with a feeling of insight into the country and the people who inhabit it.

The three short chapters which deal specifically with politics and government demonstrate clearly that Professor Fitzgibbon has captured the sense of the political system of the *orientales*, as the Uruguayans call themselves. They also prove that by the author's or any other reasonable standard Uruguay deserves to be recognized as a democracy. Freedom of elections, effectiveness of justice, a strong legislature, the adoption of a collegial executive, all indicate a limited and responsible government.

Some readers may be disappointed that the author did not devote a greater portion of his book to the political system of Uruguay. The present book, however, does supply a wealth of material upon which Professor Fitzgibbon or some other student may build a specifically political study in the future. Certainly the stated objective of presenting a comprehensive picture of Uruguay has been accomplished. No one can demand more of a writer than that he do what he set out to do.

A short but inclusive bibliography adds to the value of the study.—ROBERT E. SCOTT, *University of Illinois*.

Interpretación de la Historia de Sudamerica. BY ARTURO VILELA. (La Paz, Bolivia: Biblioteca Pacena. 1953. Pp. 230.)

This is without doubt the best short interpretative essay on the political development of the Spanish-speaking republics of South America to be found in any language. It has so much to commend it that it is difficult to know where to begin. The author is an exceptionally able young Bolivian social scientist who did his graduate work in political science at Northwestern University. His book shows a mastery of research techniques used in this country. With some minor exceptions, the footnoting and bibliography of over 200 sources demonstrate use of the standard and classic sources (in Spanish, English, and French) relevant to the subject. Vilela writes so lucidly that the reader with only a rudimentary knowledge of Spanish will have no trouble in understanding the major ideas. At the same time

his graceful style will be a pleasure to those who know Spanish well.

It is the author's contention that the political evolution of the Latin-American countries can best be understood through evaluation of sociological, economic, and historical factors. He therefore dismisses as inadequate and naive the efforts of a fairly large number of Latin-American intellectuals to explain political development in terms of the class struggles. He is aware of the importance of social classes, of course. Indeed, his sections on the criteria of class (race, culture, possession of wealth) and the relationship of classes to politics is certainly one of the best short treatments available. The book is organized chronologically—colonial period, independence, nineteenth century, the present time.

Dr. Vilela is concerned throughout with the dynamics of change. The theme that runs through every historical period, however, is the struggle of the Latin-American countries to free themselves from the hierarchical, authoritarian, absolutist nature of political, social, and economic institutions of the colonial period. His abstracts of the political thinking of the men of the independence period are excellent. It is hard to point to better analyses of the classic nineteenth-century thinkers, men such as the Argentines Alberdi and Sarmiento, the Ecuadorian Montalvo, the Chilean Lastarria, the Bolivian René Moreno, the Cuban José Martí, and others. The author believes that men like Lastarria of Chile, Alem of Argentina, Batlle of Uruguay, and Aquileo Ortiz Parra of Colombia established bases for the development of the liberal-democratic state. However, whereas the upper-middle elite understood both the theory and the practice of democracy, the masses did not. Traditional liberalism failed to achieve the successes for which it is noted in England and in the United States. The emphasis at present among major Latin-American thinkers, and certainly among those who call themselves "liberals," is not on political democracy but on what is frequently referred to as economic democracy. Intervention of the state in economic affairs ("dirigismo") is the outstanding characteristic of modern political theory in the Latin-American countries. The "liberal" or revolutionary thus tends to be a statist. The supporter of liberal democracy and economic capitalism is a conservative or reactionary.

The author is inclined to believe that Dr.

Vilela has correctly analyzed and evaluated the political thinking of leading men in the South American countries. However, it is ironical that after a century and a half of seeking liberty and freedom the principles of state centralization, regulation, and control associated with the colonial period should reappear as the creed of the modern-day liberal! —WILLIAM S. STOKES, *University of Wisconsin*.

The Dynamics of Democratic Government. BY JOHN P. ROCHE AND MURRAY S. STEDMAN, JR. (New York: McGraw-Hill Book Co. 1954. Pp. ix, 445. \$5.00.)

A comparative study of democratic government in the United States, Great Britain, and France with a functional approach. The main subjects considered are the basis of democratic government, political parties, interest groups, electoral systems, the legislative, administrative, and judicial processes, the regulation of economic activity, and the conduct of foreign affairs.

Why Dictators? The Causes and Forms of Tyrannical Rule since 600 B.C. BY GEORGE W. F. HALLGARTEN. (New York: The Macmillan Co. 1954. Pp. xiii, 379. \$5.50.)

The purpose of this book, in the author's own words, is to "prove that there were typical situations—both economic and social—in which certain kinds of dictatorships arose, and were indeed bound to do so whenever the basic situation repeated itself." In support of his thesis the author offers an all-embracing "comparative social diagnosis" of the various dictatorial régimes from the tyrants of ancient Greece and Rome through the dictatorships of the Middle Ages and the "ultra-revolutionary" dictators in the 18th and 19th century revolutions to the dictatorial systems of today, including such recent additions as Mao Tse-tung, Malenkov, Tito, and Egypt's Naguib.

Art under a Dictatorship. BY HELLMUT LEHMANN-HAUPT. (New York: Oxford University Press. 1954. Pp. xv, 277. \$5.50.)

A study of the abuse of art for the purposes of political ideology and propaganda under the Nazi rule in Germany. Three concluding chapters deal, briefly, with the postwar situation in Germany, with the fate of art in the Soviet-controlled part of Germany, and with the exploitation of art by the Communist rulers in the Soviet Union.

Intergovernmental Fiscal Relations. By KJELD PHILIP. (Copenhagen: Ejnar Munksgaard. 1954. Pp. 171.)

A short comparative study by an economist at the University of Copenhagen of grants-in-aid to local government, covering several European countries, England, and the United States. This is not a comprehensive survey of the subject, but rather a consideration of the general topic of centralization and an exploration of several of the problems arising from fiscal relationships.

Public Administration Organizations: A Directory of Unofficial Organizations in the Field of Public Administration in the United States and Canada. (Chicago: Public Administration Clearing House. 1954. Pp. xi, 150. \$2.50.)

Though similar in arrangement to previous editions, the seventh edition of this directory confines the listings more closely to national organizations directly identified with some field of public service, omitting state and provincial associations.

Catalogue of Papers Printed by Order of the House of Commons, 1731-1800. (London: H. M. Stationery Office. 1953. Pp. ix, 101. £1 1s. 0d.)

Shortly after 1801, when the collecting and binding of annual sets of the papers presented to the House of Commons was initiated, four sets were collected of all previous papers available from 1731 through 1800, and bound in 110 volumes. The original *Catalogue* of these made-up sets was printed in a small edition in 1807, and has been out of print for many years. The facsimile reprint of the *Catalogue* in 1953 may make it desirable to consider making positive microfilm prints of the original collections more generally available from the microfilm negative on file in the Library of Congress.—J.B.C.

The Home Office. By SIR FRANK NEWSAM. (London: Allen & Unwin; New York: Oxford University Press. 1954. Pp. 224. New Whitehall Series. 15s.)

The first volume of the New Whitehall series deals with one of the oldest departments of state, and has been prepared by the permanent under-secretary of state for the Home Department. At the end of the volume is given a table of the Secretaries of State for the Home Department from 1782, and also of the

parliamentary under-secretaries of state and of the permanent under-secretaries. The series is being edited by Sir Robert Fraser under the auspices of the Royal Institute of Public Administration.—J.B.C.

Consolidated Index to Government Publications, 1946-1960. (London: H. M. Stationery Office. 1954. Pp. 162. 6s.)

Beginning with the year 1936, the British annual *Government Publications Consolidated List*, covering the publications issued for sale by H. M. Stationery Office, has been paged continuously by five-year periods. The above is the third of the five-year indexes. Thus, the annual catalogues from 1936 through 1950 can now be bound in three five-year volumes, the temporary annual indexes which have been excluded from the pagination being discarded.—J.B.C.

Members of the Long Parliament. By D. BRUNTON AND D. H. PENNINGTON. (Cambridge: Harvard University Press. 1954. Pp. xxi, 256, \$4.25.)

The Long Parliament, 1640-1641: A Biographical Study of Its Members. By MARY FREAR KEELER. (Philadelphia: The American Philosophical Society. 1954. Pp. ix, 410. \$6.00.)

The first of these books is an analytical study of the Long Parliament based upon biographical data with respect to all 800 of its members who sat between 1640 and 1653. The second is primarily an elaborate biographical dictionary of the 547 members who sat during the first year of the Long Parliament, 1640-1641, with introductory chapters on the body as a whole and on the elections in which it was chosen.

A Short History of Parliament: 1295-1642. By FAITH THOMPSON. (Minneapolis: University of Minnesota Press. 1953. Pp. x, 280. \$4.50.)

A readable account of the growth of the English Parliament up to the time of the English Revolution. It is particularly valuable to the scholarly reader for the integration of some recent views of British and American historians into the traditional framework.

British Politics and the American Revolution. By CHARLES R. RITCHESON. (Norman: University of Oklahoma Press. 1954. Pp. xv, 320. \$4.00.)

A scholarly inquiry into political develop-

ments in Britain during the period of the Revolution and the reasons for the split in opinion that brought on the conflict. The volume will serve as a useful corrective to some of the distortions in the traditional American explanations of the period.

The Constitution of Sweden. TRANSLATED BY SARAH V. THORELLI WITH AN INTRODUCTION BY ELIAS HÅSTAD. (Stockholm: Ivar Haeggströms Boktryckeri. 1954. Pp. 110. Documents published by the Royal Ministry for Foreign Affairs, New Series, II: 4. 7 Sw. crowns.)

The Swedish Constitution is not a single document, but four fundamental laws embodying the constitutional provisions. The English translation presents these four, The Instrument of Government, the Riksdag Act, the Act of Succession, and the Freedom of the Press Act, all as amended through 1953.—J.B.C.

French Institutions: Values and Politics. BY SAUL K. PADOVER WITH THE COLLABORATION OF FRANÇOIS GOGUEL, LOUIS ROSENSTOCK-FRANCK AND ERIC WEIL. (Stanford: University Press. 1954. Pp. vi, 102.)

Themes In French Culture: A Preface to a Study of French Community. BY RHODA MÉTRAUX AND MARGARET MEAD. (Stanford: Stanford University Press. 1954. Pp. xi, 120. \$1.50.)

Two Hoover Institute studies containing much valuable background information helpful for the proper understanding of French political behavior and the operation of French political institutions. The first-named study in particular could serve as useful collateral reading in courses on French government and politics.

Protestantism and Politics in France. BY STUART R. SCHRAM. (Alençon, France: Imprimerie Corbière & Jugain. 1954. Pp. viii, 272. \$2.50.)

While a great deal has been written on Catholicism and politics in France, the opposite is true of the impact of Protestantism on French politics. Mr. Schram's dissertation is therefore a welcome contribution to the study of a field hitherto greatly neglected.

Handbuch für die Bundesrepublik Deutschland, 1953. BY THE BUNDESMINISTERIUM DES

INNERN. (Köln-Berlin: C. Heymanns Verlag K. G. 1953. Pp. 247.)

The first official directory of the Federal Republic of Germany is much after the pattern of the former *Handbuch für das Deutsche Reich*, which last appeared in 1938. It includes information about the Parliament, executive and other agencies, diplomatic and consular representatives, and federal organizations of cities, of "Landkreise," and "Landgemeinde." There are indexes by agency and by person.—J.B.C.

Administration et Politique en Allemagne Occidentale. BY ALFRED GROSSER, ET AL. (Paris: Librairie Armand Colin. 1954. Pp. xxi, 247.)

This is the first in a series of studies on the government and politics of Western Germany by the *Centre d'Études Des Relations Internationales* of the French Foundation of Political Science. The present volume contains contributions by both French and German scholars and administrators. It consists of several "case" studies of governmental systems of selected German states and cities, preceded by a general review of the work of the first federal legislature (1949-1953) and followed by a useful bibliography of German sources. It is a valuable contribution to the literature on the political system of the West German Republic and its subdivisions.

Toward Understanding Germany. BY ROBERT H. LOWIE. (Chicago: University of Chicago Press. 1954. Pp. ix, 396. \$6.00.)

A study of the social psychology of the German people by a professor emeritus of anthropology at the University of California. Basing the study mainly upon his recent field study in Western Germany, the author analyzes the attitudes and behavior of various social groups, discusses family life and relations, and covers such political topics as particularism, nationalism, anti-semitism and the German attitude toward democracy and dictatorship.

The Federal Constitution of Switzerland: With German Texts. TRANSLATION AND COMMENTARY BY CHRISTOPHER HUGHES. (New York: Oxford University Press. 1954. Pp. 223. \$4.00.)

The usefulness of this concise volume lies mainly in the running commentaries which are appended to almost every article of the con-

stitution. The book includes also verbatim translations of the 1902 law on the relations between the councils and of the 1939 decree on emergency powers.

The Ideology and Program of the Peruvian Aprista Movement. BY HARRY KANTOR. (Berkeley: University of California. 1953. Pp. v, 163. Paper, \$2.00; cloth, \$3.00.)

A sympathetic account of the *Aprista* movement in Peru, whose program advocated "the reconstruction of social and economic institutions" within the democratic framework. Following a short and disastrous tenure of governmental participation, and the 'detention' in the Colombian Embassy of its leader, Victor Raúl Haya de la Torre, the movement has virtually collapsed.

Jawaharlal Nehru's Speeches, 1949-1953. (Delhi: Publications Division, Ministry of Information and Broadcasting. 1954. Pp. x, 586. \$2.50.)

The selection of the more significant of the Indian Prime Minister's speeches and writings covering the period August, 1949 to February, 1953 is arranged in a topical fashion. Messages, broadcasts, and articles are included. The message on the inauguration of the Republic, January 26, 1950, furnishes introduction. The volume is a sequel to the Indian Prime Minister's collection entitled *Independence and After*, published in 1949, including his more important speeches from September, 1946 to May, 1949.—J.B.C.

Some Characteristics of the Indian Constitution: Being Lectures Given in the University of Madras during March 1952 under the Sir Alladi Krishnaswami Aiyer Shashtiabda-poorthi Endowment. BY SIR IVOR JENNINGS. (New York: Oxford University Press. 1954. Pp. 86. \$1.25.)

A famous British authority on constitutions concludes in these brief lectures that India has laid up trouble for itself in a Constitution that is too long, too detailed, and thus too rigid, and that claims to create a federal system while endowing the central government with extensive power.

The Viet-Minh Regime; Government and Administration in the Democratic Republic of Vietnam. BY BERNARD B. FALL. (Ithaca: Cornell University Southeast Asia Program. 1954. Pp. ix, 143. \$1.75.)

An important description and analysis of the Vietminh regime in Indochina. The author, a French citizen who has done advanced work in American universities, had access to official government documents and other sources in Vietnam.

Far Eastern Governments and Politics: China and Japan. BY PAUL M. A. LINEBARGER, DJANG CHU, ARDATH W. BURKS. (New York: D. Van Nostrand Co. 1954. Pp. x, 630. \$6.50.)

The first postwar text on the governments of these countries. The emphasis is heavily historical: of the 250 pages on China, only 50 treat the Communist government; of the 290 pages devoted to Japan, 100 are on postwar and only 20 on post-occupation Japan. Among the useful appendices are the Chinese Organic Law and the Japanese Constitution.

A Selected List of Books and Articles on Japan in English, French and German. COMPILED BY HUGH BORTON, SERGE ELISSEFF, WILLIAM W. LOCKWOOD AND JOHN C. PELZEL. (Cambridge: Harvard University Press. 1954. Pp. xi, 272. \$5.00.)

Revised and enlarged edition of a 1940 volume, containing the titles of over 1700 books and articles, and divided into sections dealing with geography, history, economics, sociology, language, literature, etc.

A Survey of Local Government in the Philippines. BY JOHN H. ROMANI AND M. LADD THOMAS. (Manila: University of the Philippines, Institute of Public Administration. 1954. Pp. iii, 151.)

A descriptive handbook, dealing with organization, offices, procedures, finances, judiciary, city services, central-local relations, etc.

Colonial Development and Population in Taiwan. BY GEORGE W. BARCLAY. (Princeton, Princeton University Press. 1954. Pp. xviii, 273. \$5.00.)

When the Japanese, at the beginning of the century, undertook to improve the conditions of life in Taiwan in order to make of the island a profitable colony, they incidentally collected valuable population statistics; these statistics constitute the basic material of this book. They clearly show that the Japanese occupation inaugurated a period of population increase so rapid that if long continued it can only end in disaster.

Le Droit Soviétique: Tome I. Les Données Fondamentales du Droit Soviétique. Tome II. Le Droit et L'Évolution de la Société Dans L'U.R.S.S. By RENÉ DAVID AND JOHN N. HAZARD. (Paris: Librairie Generale de Droit et de Jurisprudence. 1954. Pp. viii, 366; 409.)

These volumes form part of a series on contemporary legal systems published by the Institute of Comparative Law of the University of Paris. The first, by René David of the University of Paris faculty of law, deals with the fundamental concepts of Soviet law as viewed philosophically and juristically by a student of the Civil Law. The division of his work falls into four parts dealing successively with the Russian legal tradition, the Marxian theory of law, sources of Soviet law, and the organization of the courts and legal profession. The second volume, by John N. Hazard, is a

translation, with the omission of Chapter XI, of *Law and Social Change in the USSR* reviewed in this REVIEW, vol. 48, pp. 541-44. Since each author originally presented his work in lecture form, the approach is more generalized and elementary than is the case in some of the recent detailed studies of Soviet law. Mention should be made of the excellent bibliography appended to the second volume and covering the literature published on the subject in six languages since 1941.

Challenge in Eastern Europe. EDITED BY C. E. BLACK. (New Brunswick, N. J.: Rutgers University Press. 1954. Pp. xviii, 276. \$4.00.)

A collection of twelve essays on selected Eastern European political and economic topics of today and of the recent past. Written partly by American scholars and partly by exiled Eastern European statesmen.

SELECTED ARTICLES AND DOCUMENTS ON FOREIGN AND COMPARATIVE GOVERNMENT

WILLIAM H. ROBERTS

Catholic University of America

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INTERNATIONAL LAW AND RELATIONS

A Study of the Philosophy of International Law as Seen in Works of Latin American Writers. By H. B. JACOBINI. (The Hague: Martinus Nijhoff. 1954. Pp. viii, 158.)

This study is a successful attempt to extract the Latin-American attitudes toward international law from the works of 19th and 20th century writers. The first chapter gives a general survey of the philosophy of international law since the 15th century. With this background, Professor Jacobini discusses the works of Latin-American writers in Chapters II and III, classifying them into the traditional schools of international law—naturalist, positivist, and eclectic. His discussion is interesting and stimulating. He perhaps exaggerates when he says that most Latin-American writers are eclectic. Although this reviewer would not agree with the label attached to certain writers, in general the author's classifications are well-conceived and acceptable. He shows the enormous influence exercised by European publicists on Latin-American writers. Finally, in Chapter IV Professor Jacobini gives an exposition of the highly controversial American international law school. Conceding that there are legal rules and practices peculiar to the Western Hemisphere, he goes on to say that they are not enough to constitute a body of doctrine which would warrant the recognition of an American international law. He reveals that most Latin-American writers object to the American school.

The argument of the book is well-reasoned and the plan expertly executed. The author might well have given more attention to the attitude of contemporary Latin-American writers toward the protection of human rights. The views of the Brazilian Jorge Américo, which the author discusses briefly, are not representative enough to give an adequate idea of the exact nature of the Latin-American position. This matter is important, for Latin-

American writers are perhaps the strongest supporters of an international covenant on human rights. The author narrowed his discussion greatly by merely showing each writer's attitude toward the idea of the individual as a subject of the law of nations.

In spite of this deficiency, Professor Jacobini should be congratulated for a scholarly and original study, enriched by an excellent bibliography. He has certainly made a major contribution toward the understanding of a regional interpretation of international law.—MANUEL R. GARCÍA-MORA, *University of Detroit*.

Benjamin Franklin and American Foreign Policy. By GERALD STOURZH. (Chicago: University of Chicago Press. 1954. Pp. xvii, 335. \$4.50.)

This is an excellent book; it reflects painstaking research, is well written, and is thoroughly documented. It was written under the auspices of the Center for the Study of American Foreign Policy, directed by Hans Morgenthau, and is the second in a projected series of works analyzing the foreign policies of American statesmen.

Being both a protégé and disciple of Professor Morgenthau, Mr. Stourzh's analysis of Franklin's thought is undertaken from the realist viewpoint. The central assumption of his book is therefore that one's views on politics are ultimately linked with his conception of human nature. After an exhaustive analysis of Franklin's political thought, the author concludes that the traditional view of Franklin as the "embodiment of the Age of Reason" is wrong. Franklin, argues Mr. Stourzh, is a victim of misrepresentation. He did not share the Enlightenment's confidence in the boundless goodness of man; on the contrary, he held a modest opinion of human nature. Consequently Mr. Stourzh's Franklin is less the advocate of "reason," less attached

to the belief in "progress," and, in general, less the personification of eighteenth-century ideas than he has been previously painted. Franklin, the author asserts, "rejected the idea of inevitable human progress"; he recognized the "permanency of moral imperfection"; and he "acknowledged the imperfection of human reason." Moreover, in his own thinking he "sacrificed 'reason' to 'experience'." Insofar as the theory of Jeffersonian democracy rests upon faith in the rationality and goodness of man, Mr. Stourzh holds that Franklin cannot be classed as a Jeffersonian. Franklin was a confirmed monarchist during most of his life; and his advocacy of democracy in later life was, according to the author, largely based upon his conviction that democracy "works better," is more "practical," than other governmental forms. (Government is more "efficient," argued Franklin, if founded on public opinion rather than upon force alone.) In similar fashion, Franklin's ardent pacifism was, Mr. Stourzh believes, based primarily on pragmatic considerations; i.e., only by accommodation and a reasonable adjustment of differences can you "get things done."

In Mr. Stourzh's hands, then, Franklin becomes more the political bedmate of Edmund Burke than the embodiment of the Enlightenment. One must recognize the painstaking scholarship that has gone into this effort; and it is quite evident that Mr. Stourzh has discovered hitherto neglected aspects of Franklin's political thought. In this reviewer's opinion, the earlier view of Franklin must be revised as a result of this work. The author may have exaggerated to make his point, but it is a point both well worth making and well made: Franklin held a modest view of human nature and his political beliefs were framed accordingly.

But how does this relate to Franklin's views on foreign policy? Mr. Stourzh's central theme in this regard is that Franklin had an acute appreciation of the nature and role of political power. Here again the point is worth making and the author demonstrates it repeatedly; but it seems to be overdoing the matter to present Franklin as a protégé of Hans Morgenthau. Franklin's conception of the role of national power was not formal and doctrinaire; it was casual and matter-of-fact.

Franklin took power for granted. Consequently, he appears never to have been much bothered by the conflict between morality and

power which concerns rival academicians of our day. He was both a pragmatist and an enlightened idealist, and he never doubted that there was ample room for both altruism and self-interest in the conduct of personal and state affairs. To the "realist" of our day Franklin has this to say: "I dislike those pessimists who affect to discover self-interested views everywhere at the bottom of the fairest, the most generous conduct." To the "moralist" he declares: "There is no Science, the Study of which is more useful and commendable than the Knowledge of the true Interest of one's Country." In essence, then, Franklin's appeal is to prudence, tolerance, and an enlightened self-interest.—S. GROVER RICH, JR., *University of Utah*.

Perpetual War for Perpetual Peace: A Critical Examination of the Foreign Policy of Franklin Delano Roosevelt and Its Aftermath. EDITED BY HARRY ELMER BARNES. (Caldwell, Idaho: The Caxton Printers, Ltd. 1953. Pp. xiii, 679. \$6.00.)

This is an unpleasant book to read. Ostensibly it is a review and appraisal of American foreign policy during and after the presidency of Franklin D. Roosevelt. Actually it is a shallow piece of special pleading, arguing that the foreign policy of Presidents Roosevelt and Truman involved "perpetual war, presented in the guise of a global struggle of free peoples for perpetual peace"; its purpose is to acquaint the American people with that "fact" before "it is too late to revise our course and resume a sane foreign policy, based on continentalism, national interest, ideological co-existence, international urbanity, and rational co-operation in world affairs" (p. viii). The most significant circumstances and events of these fateful years are either ignored or shuffled by so fast that one can hardly recognize them. Such procedures undoubtedly make for good polemics; but they do not add up to historical analysis.

Eight men have written the ten chapters in the volume. Except in one instance the chapters are very much alike, reflecting the fact that the contributors are mostly the leading revisionist writers of the post-World War II period. Harry Elmer Barnes, the editor, wrote both an introduction, which treats of the "historical blackout" which he says has greeted revisionist writings, and the conclusion. In both places, Mr. Barnes tries manfully to discourage criticism by vilifying all critics in ad-

vance. Charles Callan Tansill has offered two chapters, one dealing with American policy in Europe from the end of the First World War to the beginning of the Second, and the other with Japanese-American relations during the same period. His sweeping indictments in both are backstopped first by Frederic R. Sanborn, in a chapter called "Roosevelt is Frustrated in Europe," and then by George Morgenstern, who discusses "The Actual Road to Pearl Harbor." There is also a partisan survey of the various investigations of the Pearl Harbor attack, by Percy L. Greaves, Jr.; another political broadside at the "bankruptcy" of Roosevelt's foreign policy, by William Henry Chamberlin; and an odd and elusive argument about American foreign policy and the national interest, by George A. Lundberg. Almost hidden in this mountain of chaff, but glowing in comparison, is a thought-provoking essay by William L. Neumann on how American policy contributed to war in the Pacific. Dr. Neumann seems to suffer the limitations of a pacifist ideology, and it is not always possible to agree with him, but he demonstrates more analytical ability, insight, and care in the use of data than all the other contributors put together. He also respects the all-important distinction between poor policy judgments and acts of treason, a distinction his colleagues do not seem even to understand.

It is useless to try to argue with the school of thought embodied in this book, and equally a waste of time to refute individually all of the wildly improbable assertions it contains. To these men, "revisionism" is by definition "truth" and any criticism a "smear." Thus their armor of "righteousness" is impregnable. All that a reviewer can usefully do with this book is describe it, and characterize it, and then let the reader beware.

The book is distinguished by three closely related features: on the analytical level, by an almost total lack of consideration given to problems of American security in a dangerous world; on the factual level, by distorted interpretation of evidence; and on the philosophical level, by a conservatism so pervasive that it destroys all balance in the making of evaluations.

1. None of the authors of this volume has any realistic conception of what American security consists of, or of what a threat to it looks like. They steadfastly refuse to concede that the United States has any interests of any character anywhere in the world outside of

our continental borders which are important enough to protect by force of arms if they are threatened by hostile power. The actions of American political leaders are repeatedly divorced from the threatening international situation in which they took place, and are treated as if policy making were an easy succession of simple acts rather than a groping, in an atmosphere of indeterminacy, toward some desired but ill-defined objectives.

2. The cavalier fashion in which historical fact and evidence are treated does not inspire confidence in the professional judgment and competence of the authors. Facts must always be evaluated by scholars according to their own criteria of relevance, to be sure, but the authors have set their own topic and have then omitted data incontestably pertinent to it and have included evidence of the most doubtful, irrelevant, or meaningless sorts. For example, in treating American relations with Germany prior to World War II almost all of Hitler's acts of violence and aggression are ignored and he is portrayed as a sweet, reasonable, attractive, and understanding statesman. Even Hitler himself knew better than this!

One is obliged to conclude that the major criterion of admissible evidence is the usefulness of any datum in advancing the standard revisionist argument: that Roosevelt and his henchmen were responsible for World War II. Thus the crafty words of Adolf Hitler, for instance, or the insignificant phrases of Hamilton Fish at the Interparliamentary Union, are given credence by Tansill and treated as important steps to halt the tide of war, while the words and pleas of President Roosevelt are regarded as spoken only "for the record" (pp. 161-65).

3. Underlying both the analysis and the selection of evidence in this volume is an ideological standard against which all things are measured and found to be "true" or "false." The standard is a conservatism so deep that it rejects both of the major political parties as they are now constituted, although it reserves its greatest antipathy for the Democratic party and particularly for Franklin D. Roosevelt. The connection between the philosophy of the authors and the revisionist school of historiography to which they belong is especially transparent in this book, because the authors move so often from historical to political discourse.

The primary public values in this conservative ideology are "civil liberty, economic ex-

pansion, financial solvency, national prosperity, and governmental economy" (p. xi). The chief enemy of these values is modern war, with its tremendous consumption of resources and output of destruction. In the shadow of such an enemy, however, the ideology is not able to direct hostility toward any external threat, since that would only foster an eventual conflict. The blame for any war, then, has to be transferred away from those who instigate conflict by demanding unacceptable things, to those who, like Roosevelt, accept the challenge of war rather than accede to those demands and surrender what they conceive to be vital interests. And it is particularly easy to lay the guilt at Roosevelt's door because the social values of his Administration were as antagonistic to nineteenth-century values as are the demands of modern war.

The uninformed student who is persuaded to read this book will be further away from knowing the real history of these times than he was before. Mr. Barnes, the editor, complains that revisionists are not well reviewed today, as they were in the interwar period. Perhaps the reason is that today's revisionists write such poor books.—BERNARD C. COHEN, *Princeton University*.

Japan: From Surrender to Peace. BY BARON E. J. LEWE VAN ADUARD. (New York: Frederick A. Praeger. 1954. Pp. xv, 351. \$7.50.)

When an account of the wholly American occupation of Japan and the subsequent peace negotiations appears from the pen of a non-American it is reasonable that we should take particular notice. Of the many surveys of our relations with Japan since 1945, only two (Harold Wakefield's *New Paths for Japan* and W. Macmahon Ball's *Japan: Enemy or Ally*) were written by non-Americans. Mr. Ball's particularly critical and searching account, written from the vantage point of his position as Australian representative on the Allied Council for Japan, revealed aspects of the occupation unknown to anyone in a lesser position.

Although Baron Van Aduard held a similar diplomatic post as head of the Netherlands Mission in Japan during the years 1949–1952, his book is not so much a critique as a conventional account of our relations with Japan since 1945. Van Aduard's position of diplomatic importance and his Dutch citizenship seem to have made him an agreeable and sym-

pathetic recorder of events and trends rather than a foreign critic. Doubtless the author's position did make it possible for him to show the changes in occupation policy under the impact of international tension. He demonstrates how a growing American awareness of the Soviet threat resulted in more aggressive efforts to conclude a peace treaty with Japan. This account of the transition in American policy is an important contribution of the book. Of equal significance is the fact that it is the first major work which recounts in some detail the negotiations preceding the peace treaty ratified by Japan in 1952.

Wisely limiting his discussion of the occupation to about a quarter of the volume, Van Aduard devotes the remaining 300 pages to the problems of the peace treaty and the future of Japan. He is generous in his praise of both General MacArthur and Secretary Dulles. One of the disappointments of the book is the absence of documentation of any kind. In the preface by Mr. Dulles the reader is assured that while "it cannot be completely authoritative" yet it is "on the whole a reliable account." It is lamentable, too, that the author does not expand his analysis of Japanese reaction to the treaty and document this reaction by reference to Diet debates and committee hearings. This expanded treatment might have taken the place of the opening quarter of the book dealing with the surrender and occupation—topics adequately treated in many other books. As it is, Baron Van Aduard's book has the virtues of restraint, balance, and completeness. It lacks the qualities of probing critical analysis which we so badly need for this crucial period of Japanese-American relations.—RALPH BRAIBANTI, *Duke University*.

Bibliografía de las Conferencias Americanas.

BY THE COLUMBUS MEMORIAL LIBRARY OF THE PAN AMERICAN UNION. (Washington, D.C.: Pan American Union. 1954. Pp. x, 277. Bibliographic Series No. 41. \$1.50.)

The bibliography of the American conferences includes the 1st to 9th International Conferences of American States; the three conferences for the maintenance of peace and security, Buenos Aires, 1936, Mexico, 1945, Rio de Janeiro, 1947; and the four meetings of consultation of Foreign Ministers, 1939–1951. An attempt has been made to list (a) the documents of these conferences, as completely as possible; (b) publications related to the

conferences; and (c) reports and works on the conferences. The publication of the documents of the conferences has usually been the charge of the country acting as host, and as a result there has not always been uniformity in the publication of the various editions and in their distribution. For the first time there is really an adequate record of these materials.—J.B.C.

Doubleday Short Studies in Political Science: *Political Community at the International Level: Problems of Definition and Measurement.* BY KARL W. DEUTSCH. (Pp. x, 70.) *The Revolution in American Foreign Policy, 1945-1954.* BY WILLIAM G. CARLETON. (Pp. x, 94.) *France: Keystone of Western Defense.* BY EDGAR S. FURNESS, JR. (Pp. xvii, 77.) *The Problem of Internal Security in Great Britain, 1948-1953.* BY H. H. WILSON AND HARVEY GLICKMAN. (Pp. x, 86.) *Germany: Dilemma for American Foreign Policy.* BY OTTO BÜTZ. (Pp. x, 69.) *Democratic Rights versus Communist Activity.* BY THOMAS I. COOK. (Pp. viii, 56.) (New York: Doubleday & Co. 1954. \$.95 each for Studies 1-5, \$.85 for sixth.)

The first volumes in a series of paper-bound booklets dealing with specialized or topical subjects; a highly commendable publishing venture and an extremely useful set for supplementary or illustrative readings in various political science courses. A lengthy list of additional titles has been announced for early publication.

L'Internationalisation des Constitutions. BY YVES L. AUGUSTE. (Madrid: Industrias Gráficas España. N.D. Pp. 226.)

The author, First Secretary of the Haitian Embassy in Madrid, examines the relationship of international and constitutional law. Believing in the supremacy of international law over national law, he concludes that a new chapter ought to be added to all national constitutions which would "fix the obligations of the states as members of the international community," including such obligations as the duty to execute international obligations or to settle international disputes by peaceful means.

NATO and Its Prospects. BY J. D. WARNE. (New York: Frederick A. Praeger. 1954. Pp. vii, 110. \$3.00.)

A British officer, formerly on the staff at

SHAPE, succinctly summarizes the origins and evolution of NATO, deals briefly with the many problems—by no means all military—encountered in its development, discusses the role of the proposed European Defense Community, and speculates on the future of the Atlantic Community and the East-West split.

Freedom of Information as a Project of International Legislation: A Study of International Law in Making. BY HILPING EBE. (Uppsala: A.-B. Lundequistska Bokhandeln and Wiesbaden: Otto Harrassowitz. 1953. Pp. 176. 12 kr.)

A scholarly and technical analysis of the problems surrounding the drafting of international legislation aimed at securing a worldwide right to freedom of information. An analysis and critique of existing international draft covenants is also presented by the author, a former member of the U.N. Secretariat.

Organizing for Peace: International Organization in World Affairs. BY DANIEL S. CHEEVER AND H. FIELD HAVILAND, JR. (Boston: Houghton Mifflin Co. 1954. Pp. x, 917. \$7.00.)

A new text by two young professors who still retain considerable enthusiasm and optimism for the future of international organization. Following the usual review of historical attempts at some kind of international organization are two lengthy sections (670 pages) that treat the League and the United Nations simultaneously, first from the standpoint of structure and authority, then from the functional standpoint. These are followed by a shorter section on regional systems, and brief concluding chapters in which the authors discuss the "fundamental issues."

Introduction to International Relations. BY CHARLES P. SCHLEICHER. (New York: Prentice-Hall, Inc. 1954. Pp. xvi, 941. \$6.75.)

A new text in the traditional approach. Part I ("Principles and Dynamics") contains the customary background materials, and discusses the elements of national power along with such topics as nationalism, sovereignty, international law, and war; Part II ("Foreign Policies and Area Problems") draws on seven other contributors for discussions of the major countries or regions, and their interests and

policies; Part III ("Organizing the World Society") devotes 300 pages to the structure, activities, successes, and failures of various international bodies.

International Relations: In the Age of the Conflict between Democracy and Dictatorship.

By ROBERT STRAUSS-HUPÉ AND STEFAN T. POSSONY. (New York: McGraw-Hill Book Co. 1954. 2nd ed. Pp. xiv, 826. \$6.50.)

Reduced in length by 121 pages, this new edition of a 1950 text is greatly improved in style, content, and arrangement.

Documents on American Foreign Relations, 1953. Edited by PETER V. CURL. (New York: Harper & Brothers, 1954. Pp. xxii, 458. \$5.00.)

Fifteenth volume in this reference series of world affairs. Included in this compilation are policy statements of Republican and Democratic party leaders as well as policy documents of foreign governments. Increased coverage has been given to events in the Communist world.

Foreign Relations of the United States: Diplomatic Papers, 1936. Vol. II: Europe. (Washington: U. S. Government Printing Office, 1954. Pp. xcv, 853. \$4.25.)

Foreign Relations of the United States: Diplomatic Papers, 1936. Vol. IV. The Far East. (Washington: Government Printing Office, 1954. Pp. xci, 1012. \$4.50.)

In Europe the Nazi controls over Germany tighten, and the Spanish civil war prompts policy of strict neutrality; in the Far East Japan continues to consolidate the control of Manchuria, Japanese pressure upon China grows, Chiang Kai-shek is kidnapped, and assassinations in Japan confirm the growing power of the militarists.

Foreign Relations of the United States: Diplomatic Papers, 1936. Vol. V. The American Republics. (Washington: U.S. Government Printing Office, 1954. Pp. xcv, 992. \$4.50.)

Concluding the 1936 series, this volume is concerned almost entirely with commercial and financial topics, and with the reciprocal trade agreements program.

Documents on German Foreign Policy: 1918-1945. Series D (1937-1945). Vol. VIII. The War Years: September 4, 1939-March 18,

1940. (Washington: U.S. Government Printing Office, 1954. Pp. lxxvi, 974. \$4.00.)

Continuing the massive project of documenting Germany's foreign policy, this volume—already the eighth—covers the period from the entrance of France and Britain into the war, to the eve of the Brenner Pass meeting between Hitler and Mussolini in March, 1940. German-Soviet relations, economic as well as political and military, bulk largest in this period; relations with Italy, with the Low Countries and the Scandinavian area, and with the neutrals, are also of interest and importance.

Russland, die Westmächte und Deutschland: Die Sowjetische Deutschlandpolitik 1943-1953. By BORIS MEISSNER. (Hamburg: H. H. Nölke Verlag, 1954. Pp. 372.)

A well-documented and thorough description of Soviet policy toward Germany from the Teheran Conference to the Nineteenth Congress of the Communist Party of the Soviet Union.

Oil in the Middle East: Its Discovery and Development. By STEPHEN HEMSLEY LONGRIGG. (New York: Oxford University Press, 1954. Issued under the Auspices of the Royal Institute of International Affairs. Pp. xiii, 305. \$4.00.)

An exhaustive history of the subject down to 1953, with emphasis on oil politics. The author is a long-time British resident of the Middle East, most recently as an oil company executive.

Security and the Middle East: The Problem and Its Solution. (New York: The Nation Associates, 1954. Pp. xiv, 159.)

A report concluding that the United States is on dangerous ground in helping arm the Arab states, and in siding so unqualifiedly with governments that practice neither political nor economic democracy; urging U.S. efforts and financial assistance to resettle Arab refugees in Arab lands; and proposing U.S. sponsorship of a Regional Resources Development Board whose assets would be available when such resettlement was agreed upon and when Arab-Israeli agreement was reached on the terms concluding the Palestine war.

China's Response to the West: A Documentary Survey, 1839-1923. By SHU-YÜ TENG AND

JOHN K. FAIRBANK. (Cambridge: Harvard University Press. 1954. Pp. vi, 296. \$6.75.)

A fascinating collection of translations of Chinese documents, dealing with the reactions of the Chinese to the appearance or impact of Western people, weapons, and ideas, and to the problems generated by these foreign influences. The documents cover the period from 1839 through 1923, and are introduced by comments of the editors.

Japan's Decision to Surrender. By ROBERT J. C. BUTOW. (Stanford: Stanford University Press. 1954. Pp. xi, 259. \$4.00.)

A carefully documented study of the forces in Japan which led to the surrender. The cumulative effect of successive defeats and the

"political miracle" of the influence of the Imperial Throne were far more important than the atomic bombs dropped on Hiroshima and Nagasaki. Sources used are primarily records of the International Military Tribunal of the Far East, and unpublished memoirs and interviews.

Typhoon in Tokyo. By HARRY EMERSON WILDES. (New York: Macmillan Company. 1954. Pp. v, 356. \$4.50.)

A semi-popular account of the American occupation of Japan based largely on the personal experiences of the author, who served in the government section of SCAP throughout the occupation. The focus is on personalities and tidbits of information rather than on issues and fundamental problems.

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University of California (Los Angeles)

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United States Information Agency. Second Report to Congress; January-June, 1954.

POLITICAL THEORY, RESEARCH, AND METHODOLOGY

The Question of Jean-Jacques Rousseau. BY ERNST CASSIRER. TRANSLATED AND EDITED WITH AN INTRODUCTION BY PETER GAY.

(New York: Columbia University Press. 1954. Pp. vii, 129. \$2.75.)

Professor Peter Gay has supplied the first

English translation of Ernst Cassirer's *The Question of Jean Jacques Rousseau*, first published in German in 1932. Professor Gay has furnished an excellent introduction reviewing the primary interpretative theories about Rousseau's works, and also a careful annotation of Cassirer's text.

Cassirer approached the question of Jean-Jacques Rousseau with the assumption that all internal inconsistencies could be legitimately resolved by rational doctrinal analysis. Moreover, Cassirer announced that the purpose of the essay was to demonstrate the universal "objective necessity" of Rousseau's moral teachings.

The absolutism of the *Social Contract* and the radical individualism of the main corpus of Rousseau's works are resolved by interpreting the absolutes of the *Social Contract* as Kantian moral imperatives embodying freedom. The general will is another term for *rechtsstaat*. Its fundamental aim is not happiness or welfare for the individual but the realization of higher moral purpose.

Accordingly, the apparent conflict between the rationalism of the *Social Contract* and the mysticism of *Emile*, *Neouvelle Héloïse* and the *Confessions* disappears, for at the base of them all Cassirer finds a mystical self-validating intuitionism with Rousseau assuming an objective scientific validity for his random sense impressions, emotional preferences, and moral judgments. This natural virtue (Cassirer suggests that "nature" for Rousseau carried a Baconian meaning) was achievable on the individual level through education which removes the inhibitions arising from conventional restraints, thus freeing the individual to develop according to his ideal-natural potential. On the social level, evil inhibitions were so deeply embedded in political institutions that liberal reformism would not suffice. Nothing less than revolutionary root and branch excision of social evils would release men to live and develop freely according to their natural potential.

This revolutionary social transformation, which according to Cassirer was one of Rousseau's greatest creations, need not be feared, for man's basic nature is good rather than sinful. Rousseau solved the problem of theodicy by eliminating original sin and placing it in evil human institutions which could be rationally and confidently reconstructed.

Thus Rousseau's educational and moral

writings only appear more individualistic than his political writings, for in the former he was concerned primarily with the negative "revolutionary" problem of saying what inhibitions it was necessary to put away to permit free development according to natural human potential. Man's positive potential remains nonetheless categorically absolute, as glimpsed especially in Rousseau's passages on civil religion.

Cassirer's argument is a powerful one, despite a few unintegrated side explorations. As Professor Gay has pointed out, it has strongly influenced contemporary analysis of Rousseau. However, the underlying assumption of the validity of devising rational syntheses of internal inconsistencies was never inspected. The Kantian freedom required to integrate individualist and absolutist texts seems forced. Finally, Cassirer failed to demonstrate the validity and "objective necessity" of Rousseau's intuitive moral perceptions.—HARVEY WHEELER, *Washington and Lee University*.

Notre Matière, M. Sorel. By PIERRE ANDREU. (Paris: Bernard Grasset. 1953. Pp. 338.)

A gap in the literature about the author of the *Reflections on Violence*, has now been filled: Dr. Andreu's book, in addition to being a competent survey of Georges Sorel's diffuse writings, is the first real story of the man, a man whose peaceful, suburban existence seemed to belie the violent ideas he expressed in speech and print. No future writer on the subject will be able to do without the findings of this author, who devoted many years of research to establish hitherto unknown facts about Sorel—the government official who resigned his position and began writing at the age of forty; the agnostic husband of a devoutly religious girl, whose education he took in hand while respecting her convictions; the mercurial friend of many distinguished contemporaries, among whom the creative genius of Charles Péguy stands out foremost. In general, Dr. Andreu's account confirms what a close reading of Sorel's works leads us to suspect: that his revolutionism was essentially conservative; he wanted to destroy in order to preserve—a tendency which makes Sorel's occasionally violent vacillations between extremes of political persuasion intelligible if not fully convincing.

The other great merit of this study is that,

in contrast to most previous monographs on Sorel, it pays a great deal of attention to the philosophical substratum of his political thought, above all to the influence upon him of Henri Bergson and William James—two authors about whom Sorel in his turn has a great deal to say. But who ever read his *De l'utilité du pragmatisme*? It was, and still is, a pity that Sorel should be known by one book only. In his introduction to the present work, Dr. Daniel Halévy, one of the few surviving personal friends of the hermit of Boulogne-sur-Seine, and one who had been instrumental in getting the *Reflections* published, relates how, after the death of Sorel and Péguy, within the same week both the Fascist and the Soviet governments had approached a high French official offering to restore the supposedly neglected graves of the two illustrious Frenchmen—an anecdote which, at least as far as Sorel is concerned, sums up very neatly the indestructible popular misconception about his “responsibility” for both Mussolini’s and Lenin’s revolutions.—JAMES H. MEISEL, *University of Michigan*.

Principia Politica. By LEONARD WOOLF. (London: Hogarth Press. 1953. Pp. 315. 25/-.)

The Vocabulary of Politics. By T. D. WELDON. (Baltimore: Penguin Books. 1953. Pp. 199. 2/-.)

These two books present a singular contrast. Mr. Leonard Woolf is a rationalist who is angry with the follies of a world bewitched by superstition. Mr. Weldon, a Magdalen College don, holds that principles, like tastes, are not really matters for disputes among civilized men. *De gustibus non disputandum* as to Buchenwald and Siberia is a slight exaggeration, but yet is pretty near to the truth. What matters for logical positivists is to get their words right.

Mr. Woolf writes a book on the (doubtless well-meant) advice of Lord Keynes unfortunately called by the great name of *Principia Politica*. However, he explains to us that it is no systematic discourse but in part an autobiography. He wrings his hands over “the stupidity of the human mind . . . only in Athens, human beings enjoyed for a brief moment a lucid interval in their chronic lunacy.” The probable character of the good may well be indicated by a grand tradition of the centuries—what E. M. Forster calls “the true human tradition,” shaped by and shaping human cul-

ture. But it is dangerous to construe this tradition as something bequeathed to a little inner circle of the Bloomsbury *illuminati* who can scold the rest. This impulse is all the more extraordinary since Mr. Woolf is the British publisher of Freud, and should know that the great tradition has been written out on the broad page of history and contains more things than were acceptable to Voltaire.

Mr. Weldon, on the other hand, is no crusader, although he is nearer to that painstaking Linnaean task of classification to-day so necessary for basing principles and examining morphology in the social sciences. He holds the view that it would be wisest to say that a man is a good judge of political institutions as “he is a good judge of pictures or of wines.” This can require “an intelligent performance.” “There is no agreement as to what political institutions are for.” Mr. Woolf, who reviews Mr. Weldon, disapproves of this iconoclasm. Many, however, of Mr. Weldon’s prejudices are sound—as that to base political studies on so transient a form as “the State” is misleading. But, like many British academics, Mr. Weldon, properly concerned with semantics and vocabulary, neglects almost entirely the work in that field of measurement and experimental observation (not to speak of psychological study) which Hume rightly said was indispensable to significant advance.—GEORGE CATLIN, *London, England*.

The Political Ideas of Alexander von Humboldt: A Brief Preliminary Study. By E. R. BRANN. (Madison, Wisconsin: E. R. Brann. 1954. Pp. v, 50.)

Any student of political theory who has had an interest in Wilhelm von Humboldt, will find this short study a useful addition to the literature in the field. Brann notes that von Humboldt was reputed to be in sympathy with republican thought and other liberal trends. His position at the Prussian Court was thus weakened and his advice seldom called for or used.

Individualism Reconsidered and Other Essays. By DAVID RIESMAN. (Glencoe, Ill.: The Free Press. 1954. Pp. 529. \$6.00.)

The re-publication of thirty essays published by the writer (a few with collaborators) in fifteen journals and half a dozen symposium volumes between 1947 and 1953 and dealing with such subjects as individualism, freedom,

culture, Veblen, Freud, totalitarianism, and the methods of the social sciences.

American Thought: A Critical Sketch. By MORRIS R. COHEN. (Glencoe, Ill.: The Free Press. 1954. Pp. 360. \$5.00.)

This comprehensive volume illuminates the history of American ideas with respect to history; scientific, economic, political, legal and religious thought; aesthetics; and general philosophy. After Morris Cohen's death, Dr. Felix S. Cohen completed the editing before his own death.

French Thought in the Eighteenth Century: Rousseau, Voltaire, Diderot. By ROMAIN ROLLAND, ANDRÉ MAUROIS AND EDOUARD HERRIOT. WITH AN INTRODUCTION BY GEOFFREY BRERETON. (New York: David McKay Co. 1953. Pp. xxiii, 428. \$3.00.)

Excerpts from the writings of Rousseau, Voltaire, and Diderot with introductions, respectively, by Romain Rolland, André Maurois, and Edouard Herriot, together with a general introduction by Geoffrey Brereton. The material on Rousseau and Voltaire was previously published in separate volumes of The Living Thoughts Library.

The Great Issues of Politics: An Introduction to Political Science. By LESLIE LIPSON. (New York: Prentice-Hall. 1954. Pp. xvi, 431. \$7.00.)

This book discusses such general problems as the nature of society, the origins of the state, the content and method of political science, citizenship, equalitarianism, politics and economics, authority, the constitutional distribution of governmental powers, international relations, and the dynamics of political change.

Communism: Challenge to Americans. By CARROLL HAWKINS. (East Lansing: Michigan State College Press. 1953. Pp. 76. \$1.00.)

Second edition of a volume intended as a handbook for the average citizen, presenting a general summary of the nature and development of communism and its status in the United States and throughout the world, along with some suggestions as to how it can best be combated by the West.

Mao Tse-Tung: Selected Works. Vol. 1: 1926-1936. (New York: International Publishers. 1954. Pp. 336. \$3.00.)

The first of five volumes bringing together, in chronological order, what the Chinese Communists believe to be Mao's most important writings. Based on the Chinese edition, but translated, published, and further annotated in England, this first volume includes the famous "Report on an Investigation into the Peasant Movement in Hunan," Mao's analysis of classes in Chinese society, considerable comment on revolutionary and guerrilla warfare, and first speeches pointing toward a united front against the Japanese.

The State the Enemy. By ERNEST BENN. (London: Ernest Benn Ltd. 1953. Distributed by the British Book Centre, New York. Pp. 175. \$3.00.)

Sir Ernest Benn, head of one of the large English publishing houses, spells out in Spencerian terms his indictment of socialism and the planned society. For Sir Ernest, nationalization, socialism, and the Labor party are anathema and the utilization of the state as the instrument for the attainment of their purposes is deplored. The author's solution is a return to unhampered individualism.

Contemporary British Conservatism: Its Nature and Content. By LUIGI SAVASTANO. (New York: Vantage Press. 1953. Pp. v, 63. \$2.50.)

This book comprises a superficial summary of the "content" of British conservatism, followed by the author's conclusion that it represents neither a sound political philosophy nor a serious contender for popular support in the modern world.

Wirtschaftssysteme und Gesellschaftssysteme. By EDUARD HEIMANN. (Tübingen: J. C. B. Mohr Paul Siebeck. 1954. Pp. xiv, 250.)

A searching analysis of various economic and social systems by an author who believes that the present social crisis is caused by the weakening of the religious spirit of Western man and that the solution of the problems confronting our society can only be attained through Christian social ethics.

Experiment in Education: What We Can Learn from Teaching Germany. By WILLIAM ERNEST HOCKING. (Chicago: Henry Regnery Co. 1954. Pp. xvi, 303. \$5.00.)

Using the American attempts to "reeducate" Germany as a springboard, the famous philosopher subjects the American system of

higher education and its philosophy to a searching criticism that focusses primarily upon what he believes to be the faulty assumption that democratic education means equal

education open to all comers; to proceed from such a premise means only that educational standards and the quality of scholarship decline together.

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FRANCIS G. WILSON

University of Illinois

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NEWS AND NOTES

PROFESSIONAL CONFERENCES

1955 ANNUAL MEETING OF THE ASSOCIATION

The 1955 Annual Meeting of The American Political Science Association will be held September 7-9, 1955, at the University of Colorado, Boulder, Colorado. The Chairman of the Program Committee is Professor Weldon Cooper of the University of Virginia; the Chairman of the Committee on Local Arrangements is Professor Dayton D. McKean of the University of Colorado.

Fiftieth Annual Meeting of The American Political Science Association

Minutes of the Council Meeting

The Council of The American Political Science Association met at 9:30 A.M., September 8, 1954 in Parlor O of the Hotel Sherman, Chicago, Illinois. President Ralph J. Bunche called the meeting to order. The following officers and members of the Council were present: Walter H. Bennett, Hugh A. Bone, Taylor Cole, Robert A. Dahl, Manning J. Dauer, Hugh L. Elsbree, David Fellman, John Gange, J. A. C. Grant, Claudius O. Johnson, Victor Jones, Earl Latham, Arnaud Leavelle, Harvey C. Mansfield, Dayton D. McKean, Charles McKinley, Jack Peltason, C. Herman Pritchett, Emmette S. Redford, C. B. Robson, Clinton Rossiter, Wallace S. Sayre. Also present were Past Presidents Pendleton Herring, Peter H. Odegard, and James K. Pollock; Evron M. Kirkpatrick, the incoming Executive Director; and Kenneth W. Hechler, Associate Director.

President Bunche asked the Executive Director, Mr. Gange, to report on the present membership of the Association. Mr. Gange noted that as a whole the membership had held up well even though during the past year many were dropped from the roster who were not current in their payment of dues. As of September 1, 1954 there were 4,340 individual members and 1,838 institutional members. He recommended to the Council that consideration be given to appointing a Committee on Membership which would conduct a vigorous membership campaign, seeking to hold current members and enlist new mem-

bers. Mr. Dauer moved that in accordance with the recommendation of the Executive Director a Committee on Membership (with regional or state members) be established. The motion carried.

Mr. Gange then reported on organizational affiliations of The American Political Science Association for which an annual fee is paid, namely, the American Council of Learned Societies, the American Council on Education, the International Political Science Association, and the American Association for the Advancement of Science. He recommended to the Council that continued affiliation with these organizations be given careful consideration and that, if it is decided to continue the Association's participation, a more active part be taken in the activities of the organizations. Mr. Gange moved that the new Executive Committee be asked to review this matter. The motion carried. It was the consensus of the Council that support of the International Political Science Association should be continued.

In connection with the Association's membership in the Social Science Research Council, the Executive Committee, on May 11, 1954, voted to recommend to the Council the election of Mr. Earl Latham as a director of the SSRC for the term 1955-57. A motion to elect Mr. Latham was carried.

Mr. Jones called attention to the new organization proposed for political theorists and inquired whether it would be wise to consider the formation of various specialized groups within the Association. After some discussion Mr. Jones moved that the general subject be referred to the Executive Committee for careful study. The motion carried.

In the absence of Mr. Litchfield, Mr. Gange

presented the Treasurer's report to the Council. He noted that the budget, as adopted by the Council for 1953-54, had been set at \$122,125.97. The actual income in 1953-54 was \$124,405.13, and the actual expenses were \$127,004.04. The deficit was met by using unexpended reserves from grants made in fiscal year 1953. On June 18, 1954 the estate of Frederic A. Ogg paid the Association \$10,830.56, representing the bequest of \$10,000 by Mr. Ogg plus interest earned while the estate was being settled. The Association's endowment fund now totals \$33,580. Mr. Gange noted that while the Association is in good financial health, he would recommend to the Council that a Committee on Finance be created to work closely with the Treasurer, Executive Director, and next year's Executive Committee on the problem of increasing the Association's endowment funds and strengthening the resources for current operating and research project expenses. Mr. Gange pointed out that the present type of accounting system did not give an accurate picture of the Association's financial position on the basis of an artificial fiscal year and recommended that the new Executive Director give consideration to changing it from the cash to the accrual system. Mr. Redford moved that the Executive Committee, the Treasurer, and the Executive Director make a study of the present accounting system within the next year. The motion carried.

President Bunche asked Mr. Gange to report on the proposed budget for 1954-55, which was adopted by the Council with the understanding that adjustments might be made during the course of the year with the approval of the Executive Committee.

There was some discussion of the advantages of having the national Association send a representative to the regional associations' annual meetings. Mr. Gange moved that there be a meeting of the Executive Director of the national Association with the president or a representative of each regional society during this annual meeting, and annually hereafter, to explore possibilities of support and mutual cooperation in arranging for speakers at the regional meetings. The motion carried. Mr. Redford also moved that the government section of the Southwestern Social Science Association be considered one of the regional societies for this purpose. The motion passed unanimously.

President Bunche asked Mr. Elsbree, Man-

aging Editor of THE AMERICAN POLITICAL SCIENCE REVIEW, to make his report for 1953-54.

The Managing Editor of the REVIEW reported that 240 manuscripts were received during the past year, approximately the same number as in the preceding year. Just under fifty articles were published. Because of the number and quality of manuscripts voluntarily submitted, only a small number of the articles published were solicited.

The editor expressed his gratitude to the members of the Editorial Board and to numerous other political scientists for the valuable service they have rendered in reading and commenting on manuscripts. He also called attention to the increasingly difficult task of selection confronting the Book Review Editor, the section bibliographers, and the News and Notes Editor.

Mr. Elsbree submitted to the Council the names of the present members of the editorial board and recommended that they be re-elected: V. O. Key, Jr., James L. McCamy (Associate Editors); Taylor Cole, Henry W. Ehrmann, Harvey C. Mansfield, C. Herman Pritchett, and Francis O. Wilcox. A motion to this effect was made and carried.

President Bunche reported on the two book publications of the Association this year—*American State Legislatures*, published by the Association's Committee on American Legislatures with Belle Zeller as editor, and *Presidential Nominating Politics in 1952*, which was published in five volumes by the Johns Hopkins Press with Paul T. David, Ralph M. Goldman, and Malcolm Moos as editors. He stated that through an additional grant from the Edgar Stern Family Fund of \$2,000, excellent publicity was given to these latter volumes, and presentations were made to the President of the United States, ex-Presidents Hoover and Truman, and the governors of twenty-nine states, two territories, and the commissioners of the District of Columbia. President Bunche also reported that certain state chapter reprints of *Presidential Nominating Politics in 1952* have been received in the Washington office and are available. The Association will arrange financial support for the publication of these reprints and encouragement for their use in colleges, adult discussion groups, and possible serialization by newspapers.

Mr. Jones moved that the study of the national nominating conventions be repeated in

1956 if possible and that the Executive Director be instructed to see that planning and other necessary action to that end is undertaken. The motion carried.

President Bunche reported that a project design for a comparative public administration project had been completed during the year by a committee drawn largely from the old Committee on Public Administration and chaired by Wallace S. Sayre. After discussions in two Executive Committee meetings it was agreed that the project be approved in principle as deserving support and encouragement but that the Association ought not to undertake the project. It was therefore agreed to refer the project to the Governmental Affairs Institute with the hope that it could obtain foundation support for it.

The President reported that preparation of an Election Statistics Yearbook would not be undertaken by the Association. The project has been referred to the Governmental Affairs Institute. The Institute reports that funds may be forthcoming to carry out the project.

President Bunche reported that this year the Woodrow Wilson Foundation had agreed to offer \$1,000 as a cash prize for the best book published in 1953 on government and democracy. Also, the Franklin D. Roosevelt Foundation offered \$1,000 for the best book published in 1953 in the field of government and human welfare. There was considerable discussion as to methods of improving and handling the Award Program. Mr. Grant suggested that final arrangements should be completed with the panel members and foundations no later than the end of February for making awards to be presented at the subsequent annual meeting. This suggestion was put in the form of a motion and was carried.

President Bunche reviewed past efforts, beginning in 1950, to obtain foundation funds for a political science "inventory" and indicated that another presentation will be prepared and submitted with some hope for favorable action.

The President asked Mr. Hechler to report on the Congressional Intern Program during 1953-54 and the coming program for 1954-55. Mr. Hechler expressed his appreciation to the Advisory Committee for the Intern Program: Ernest S. Griffith, chairman; Stephen K. Bailey, Senator Irving M. Ives, Representative Richard Bolling, and Merlo J. Pusey. It was noted that the program had received enthusiastic support on Capitol Hill. There were

many more congressional requests for assignment of the internes than the Association could possibly fill.

A grant from the Edgar Stern Family Fund enabled the number of internships to be expanded to ten for 1954-55. Five of the new group of internes are journalists and five political scientists. They commence their work on November 1, 1954. Those selected are: Clifford D. Coover, John T. Dempsey, Louis B. Fleming, William C. Gibbons, Marvin A. Harder, Daniel B. Jacobs, W. Astor Kirk, Richard T. Mittauer, Eli Rapaich, and William L. Rivers.

President Bunche asked the Executive Director to report on the Association's Personnel Service. Mr. Gange indicated that over 400 applicants have filed *vitae* with the Service and the number will probably increase to 600 before the end of the year. About 80 positions have been listed with the Service in the past year. Two trends were noted: (1) an increased number of one-year positions; and (2), despite some increase in enrollments, there is no noticeable increase in the number of positions.

At 12:45 P.M. the Council adjourned for lunch; it reconvened at 2:30 P.M.

In the absence of Mr. Bailey, Mr. Gange read the report of the Chairman of the Program Committee.

President Bunche asked Mr. Gange to report on arrangements for the 1955 Annual Meeting which will be held in Boulder, Colorado. Mr. Gange reported that arrangements had been made in the spring of 1954 with Dean Dayton McKean of the University of Colorado to use university facilities. Rooms and meals at the Student Union Building will be very reasonable and meeting rooms are also adequate. Mr. Odegard inquired about transportation from Denver to Boulder and Dean McKean stated that the University plans to have special buses meet the trains and planes. From the station in Denver to Boulder is approximately a 25-minute trip and from the airport to Boulder is about one hour. President Bunche recommended to the Council that for the 1955 meeting only, the schedule be moved ahead one day, leaving a longer weekend for travel back home after the meeting. Mr. Johnson moved the adoption of the following dates for 1955: Tuesday, September 6, meeting of the Council; Wednesday through Friday, September 7 through 9, the general sessions. The motion carried.

President Bunche asked the Council to set

the dates for the 1956 meeting to be held in Washington, D. C. Mr. Fellman moved that the following dates be adopted for 1956: Wednesday, September 5, meeting of the Council; Thursday, September 6 through Saturday, September 8, the general sessions. The motion carried.

The President urged the Council to make a decision as to the place and dates for the 1957 meeting. After much discussion it was decided to wait until after the experiment with the university facilities at Boulder before deciding on a specific site. Mr. Peltason moved that the following dates for the 1957 meeting be adopted: Wednesday, September 4, the meeting of the Council; Thursday through Saturday, September 5 through 7, the general sessions. The motion carried and the Executive Director was instructed to explore hotel and university facilities for this meeting in Cleveland, New York, and Philadelphia.

President Bunche asked Mr. Robson to present the report of the Committee on Nominations. Mr. Robson presented the following recommendations of the Committee on Nominations to the Council for their acceptance and presentation to the Annual Business Meeting: President-Elect, Harold D. Lasswell, Yale University; Vice Presidents: Hubert H. Humphrey, U. S. Senator from Minnesota; Charles S. Hyneman, Northwestern University; Lindsay Rogers, Columbia University; Secretary, Harvey C. Mansfield, The Ohio State University; Treasurer, Edward H. Litchfield, Cornell University; Members of the Council, 1954-56: Gabriel A. Almond, Princeton University; Stephen K. Bailey, Princeton University; James M. Burns, Williams College; Gwendolen M. Carter, Smith College; Samuel J. Eldersveld, University of Michigan; Avery Leiserson, Vanderbilt University; Leslie M. Lipson, University of California (Berkeley); Norman D. Palmer, University of Pennsylvania. Mr. Robson recommended that from time to time the Council reexamine the present nominating procedure and that before publication of the list of nominees in the June issue of the REVIEW, all nominees be consulted. Heretofore, only the President-Elect has been consulted as to his willingness to accept the office. He also recommended that some financial provision be made for the Committee on Nominations to meet before the final list of nominees is prepared. President Bunche asked that a motion be made to this effect. Mr. Rossiter moved

that members of the Committee on Nominations meet each year in early spring, after the canvass for suggestions has been completed, when and if money is available. The motion carried.

Mr. Pritchett presented the report of the Local Arrangements Committee. President Bunche expressed appreciation to Mr. Pritchett, on behalf of the Council and the members of the Association, for the excellent work he and his committee had done in arranging for the meeting in Chicago.

President Bunche requested that Mr. Gange report on the 1953 edition of the *APSA Directory*. Mr. Gange indicated that 1243 copies have so far been sold, about half of which have been paperbound and half clothbound. After some discussion as to whether to consider a 1955 edition of the *Directory*, Mr. Gange moved that action be deferred for a year and that at next year's Council meeting consideration be given to a 1958 edition of the *APSA Directory*. The motion carried.

Mr. Cole, a member of the Board of Directors of the Governmental Affairs Institute, was invited by President Bunche to report on the Institute's activities. Mr. Cole mentioned the organizational relationship between the Association and the Institute which was strengthened during the past year when the Governmental Affairs Institute amended its by-laws to include as *ex officio* members of its Board of Directors the President-Elect and Executive Director of The American Political Science Association. He indicated that other members of the Institute Board include three past presidents and the former executive director of the Association, that any action taken by the Institute Board is taken with the advice of the President of the Association, and that several projects, which the Association as a membership organization did not wish to undertake, had been passed on to the Institute. President Bunche asked that Mr. McKinley and Mr. Gange, who had attended the Institute Board meeting on September 6 and 7 as *ex officio* members, report as to the efficacy of the present arrangement. Both agreed that it was a very satisfactory arrangement. The question was brought up as to whether the Council of the Association should review the financial report of the Institute, but it was decided that there was no necessity for reviewing internal management problems. Members of the Council felt that more regular reports should be made on Institute activities to the

Executive Committee and the Council. Mr. Cole made a motion to approve the Association's *ex officio* representation on the Institute Board; it was carried.

President Bunche invited Mr. Pollock, senior vice-president of the International Political Science Association, to report on the activities of IPSA. Mr. Pollock read a letter he had just received from Professor William A. Robson of London, president of the international organization, expressing appreciation for the cooperation of American political scientists and inviting them to attend the 1955 Congress to be held in Stockholm in August. Mr. Pollock urged all American political scientists to support IPSA by subscribing to an annual membership, which costs \$5.00 and entitles the individual to a year's subscription to *International Political Science Abstracts* or the *Social Science Bulletin*. Mr. Gange stated that the new APSA membership forms will have a box for enclosing membership dues in IPSA along with dues in APSA.

President Bunche reported that a survey of the cost of printing a monthly newsletter to be sent to all members of the Association had shown it to be too costly to undertake at this time.

The President asked that Mr. Gange report on the proposed Social Sciences Library Service (a book rental service) which Robert Oshins had been interested in making available to members of the Association. Replies to the questionnaire which Mr. Oshins sent out have been quite favorable.

President Bunche stated that during the past year the Association has had very few requests to assist government agencies. Some suggestions of personnel for government commissions and other positions were made in response to requests from government agencies.

The Council considered requests from the New England Political Science Association, from individual members of the Midwest Conference, and from Professors Manning J. Dauer of the University of Florida and Dale Pontius of Roosevelt University for resolutions to be presented to the Annual Business Meeting on the subject of recent threats to academic freedom and individual liberties. After extended discussion, a committee was appointed to formulate a resolution to be presented to the Annual Business Meeting. Members of the committee were Charles McKinley chairman, Taylor Cole, Manning J. Dauer, and Pendleton Herring.

Mr. Gange stated that the Association had committed itself to the purchase of sufficient copies of a forthcoming publication of the Graduate Education Division of the Southern Regional Education Board on research and teaching in government in the South, for distribution to chairmen of all departments of political science.

President Bunche expressed his appreciation to Mr. Gange for his excellent service to the Association during the past year as Executive Director. He introduced the new Executive Director, Mr. Evron M. Kirkpatrick, who will take over his new duties on October 1, 1954.

The Council meeting was adjourned at 6:15 P.M.—HARVEY C. MANSFIELD, *Secretary*.

Minutes of the Annual Business Meeting

The Annual Business Meeting of The American Political Science Association was held at 4:45 P.M., Friday, September 10, 1954, in the Louis XVI Room of the Hotel Sherman, Chicago, Illinois. The meeting was called to order by President Ralph J. Bunche, who asked Mr. Harvey C. Mansfield, Secretary of the Association, to report to the members present on the action taken by the Council at its meeting on September 8.

Mr. Mansfield summarized briefly the Council's decisions and indicated that two resolutions would be presented by the Council to the Annual Business Meeting.

In the absence of the Treasurer, Mr. Litchfield, Mr. Gange made the financial report. He noted that, in the Frederic A. Ogg bequest to the Association, Mr. Ogg had specified very clearly how the funds were to be used but that no complete record appeared to exist as to the specific purpose for which earlier contributions to the endowment fund might be used. He asked that any members who had information on these funds give it to the Washington office.

President Bunche expressed his deep appreciation to Mr. Gange for the assistance he had given him during his term of office.

Mr. McKinley, chairman of the committee appointed by the Council to draft a resolution on behalf of the Association on academic and civic freedom, was asked to read the draft prepared by the committee.

Mr. McKinley did so and indicated that his committee wanted a separate vote on points 1 and 2 of the resolution. After extended dis-

cussion and several proposed amendments and amendments to amendments, point 1 was passed by a majority vote. Point 2 was passed with a unanimous vote. The resolution, as adopted, reads as follows:

"The officers of this Association have received from its members and their local associations during this past year many expressions of grave concern over the growing encroachment upon academic and civic freedom in the United States.

"Your Council believes that this Association should throw its full weight against the forces that seem bent on slamming shut the doors to freedom of inquiry, discussion, and association. Scholars cannot hope to pursue their callings with professional integrity or play their rightful part in civic life in an atmosphere of censorship and coercion of opinion. Your Council therefore recommends that The American Political Science Association at this time take these actions.

"Be it resolved that:

"1. The American Political Science Association advise all members of the Special Committee of the House of Representatives to Investigate Tax-Exempt Foundations, Reece Committee, that it objects to the false statements of fact and conclusion contained in the staff reports of that Committee and to the haste with which its public hearings were closed and rebuttal testimony cut off.

"The statements by the staff show a lack of understanding of how research is carried on and of how learned societies function.

"The American Political Science Association is a voluntary, non-partisan, scholarly society. It is an independent body and composed of over 6,000 political scientists devoted to free inquiry into government in all its aspects.

"The Association is concerned with the advancement of political science as a discipline and as a profession and with the basic understanding of our political institutions and their effective operation. During its fifty years of existence, it has fostered scholarly interchange of thought and freedom of teaching and research. It stands dedicated to high standards of professional integrity.

"We express the hope that despite the misleading statements prepared by the staff, the Committee members will reflect in their own reports an accurate view of this

Association and of the other scholarly agencies and foundations concerned with the advancement of knowledge and the strengthening of our democratic institutions.

"2. The Executive Committee of the Association with the aid of the staff initiate as soon as possible exploratory discussions with the American Association of University Professors, the American Civil Liberties Union, and other appropriate organizations to discover ways and means by which members of the Association through informed joint efforts with them may most effectively promote the objectives of academic and civic freedom. The Executive Committee is hereby authorized to put such plans, developed from these discussions, as it deems feasible into effect and report to the Council."

Secretary Mansfield read the following resolution expressing appreciation to the Edgar Stern Family Fund and Dr. Will Alexander:

"Recognizing the importance of first-hand training and observation in the organization and operation of the Congress of the United States for young teachers of political science and journalists concerned with public and governmental affairs, The American Political Science Association wishes to express its deep gratitude to the Edgar Stern Family Fund for the very generous financial support which its trustees have given to the Congressional Intern Training Program of the APSA since the Spring of 1953; the Association also wishes to express its gratitude to Dr. Will W. Alexander for his continuing interest, enthusiasm, and support of this program in collaboration with the officers of the Association and the trustees of the Stern Family Fund."

Mr. Mansfield moved that this resolution be adopted. The motion was seconded and carried unanimously.

President Bunche asked Mr. C. B. Robson, Chairman of the Committee on Nominations, to make the committee's report. Mr. Robson encouraged all members to take an interest in the nominating process and send suggestions of nominees for the Association's officers to the new Chairman of the Nominating Committee. He presented the following recommendations of the Committee on Nominations: President-Elect: Harold D. Lasswell, Yale University; Vice Presidents: Hubert H. Humphrey, U. S.

Senator from Minnesota; Charles S. Hyneman, Northwestern University; Lindsay Rogers, Columbia University; Secretary: Harvey C. Mansfield, The Ohio State University; Treasurer: Edward H. Litchfield, Cornell University; Members of the Council (1954-56); Gabriel A. Almond, Princeton University; Stephen K. Bailey, Princeton University; James M. Burns, Williams College; Gwendolen M. Carter, Smith College; Samuel J. Eldersveld, University of Michigan; Avery Leiserson, Vanderbilt University; Leslie M. Lipson, University of California (Berkeley); Norman D. Palmer, University of Pennsylvania.

Mr. Pollock moved that the Secretary be authorized to cast a unanimous vote for all of the nominees. The motion was seconded and carried unanimously.

Mr. Cole moved that the appreciation of the members of the Association to Mr. Gange for a job well done be made a part of the Association's formal record. The motion was seconded and carried unanimously.

President Bunche introduced Mr. Evron M. Kirkpatrick, who will assume the duties of Executive Director on October 1, 1954.

President Bunche expressed his pleasure in knowing Mr. McKinley and his deep respect for him. The gavel was then turned over to the incoming President.

There was no further business and the Annual Business Meeting was adjourned at 6:45 P.M.—HARVEY C. MANSFIELD, *Secretary*

The International Political Science Association held a Round-Table Conference on Teaching and Research in the Field of Comparative Government at Florence, April 5-10, 1954. Representatives from fourteen countries attended. The United States delegation consisted of James K. Pollock, senior vice-president of IPSA, and Professors Charles Aikin, Samuel H. Beer, Eugene Chase, Carl J. Friedrich, Karl Loewenstein, Roy C. Macridis, Robert E. Ward, and Harold Zink. Numerous papers of high quality were presented and a most fruitful discussion was held. An extensive report of the conference proceedings will shortly be published by Professor Gunnar Heckscher of Sweden, the rapporteur-general. A representative selection of papers submitted has already appeared in the Spring number of the Italian political science journal, *Studi Politici*. The Executive Committee considered arrangements for the next Congress of IPSA which will be held at Stockholm, August 22-27,

1955. Professor Heckscher will be in general charge of the meeting. The program will include sessions on: (1) the government of great cities; (2) political parties, emphasizing (a) their role in democracy, (b) the place of polls in a study of political parties, and (c) the relation between social classes and political parties; (3) the political implications of development programs; (4) presentation seminars dealing both with comparative government and bureaucracy (the two topics which have occupied the attention of the International Association during the past two years); and (5) large and small states in international relations. Members of the American Political Science Association are cordially invited to attend the Stockholm Congress.—ROBERT E. WARD.

The International Institute of Administrative Sciences held a round-table at The Hague, July 23-28, 1954, which brought together over ninety participants from thirty-nine countries and eight international bodies. Unlike the triennial congresses, the annual round-tables are restricted in principle to members of the various organs of the Institute, all of which held useful meetings defining the Institute's program. The Council of Administration, composed of delegates of member-states and national sections, under the chairmanship of M. René Cassin of France, authorized the creation of sections of international civil servants stationed in the same area, and adopted a new schedule of dues based upon the United Nations' scale of contributions which should greatly facilitate the membership of less developed countries of large population. Observers were present from Japan, India, Pakistan, Burma, Thailand, and other countries in which there is active interest in joining the Institute. Program plans were defined in meetings of the Committee on Administrative Practices (Donald C. Stone, U. S. A., chairman) and the Scientific Committee (Henry Puget, France, chairman). The Committee on Contracts (André Molitør, Belgium, chairman) dealt with proposals for cooperation with UN, UNESCO, and the European Productivity Agency of OEEC. M. Henri Matton, president-emeritus of the Cour des Comptes of Belgium, was elected a vice-president in place of Professor Jules Lespes, whose untimely death was deeply regretted.

The business meetings were garnished with two and a half days of scientific discussions of

two principal subjects: Public Economic Enterprise and In-Service Training, carried on in small groups permitting wide-spread participation. Participants from the United States included Charles Aikin, University of California; Charles S. Ascher, Public Administration Clearing House; Lynton K. Caldwell, UN Institute of Public Administration, Ankara; Albert Gorvine, Brooklyn College; William Ronan, New York University; MacDonald Salter, Foreign Operations Administration; and Donald C. Stone, Springfield College. The round-table for 1955 will be a residential week at one of the Oxford colleges during the first half of July, for which the Royal Institute of Public Administration will be host.

The Fourth International Congress of Comparative Law, held at the Law Faculty of the University of Paris, August 1-7, 1954, attracted some 250 political scientists and law professors, of whom some thirty were Americans, including the political scientists Charles Aikin (California), Charles S. Ascher (Brooklyn), Reginald D. Lang (Carlton), Karl Loewenstein (Amherst), Robert R. Wilson (Duke), and J. N. Hazard (Columbia). Roscoe Pound as president of the sponsoring Academy of Comparative Law presided. Subjects discussed ran the gamut of the law, from history and legal philosophy to political parties and commercial treaties. Specialists in each field met in panels with general reporters who had digested reports prepared well in advance to present conclusions for debate. State interference in the internal structure of parties to preserve democratic principles when voters have no real alternative to a single party evoked sharp debate under the guidance of Karl Loewenstein. Control over public corporations as presented by Henry Puget of France drew forth comparisons from Frank Scott of McGill and Charles S. Ascher of Brooklyn College. Robert Wilson of Duke reported to the international lawyers on his experience with commercial treaties, while Reginald D. Lang reported on political regimes and the international community. Papers prepared by American political scientists unable to attend included those by Robert K. Carr (Dartmouth) and Joseph R. Starr (Maryland). The Fifth Congress will be held during the summer of 1959 at The Hague.—JOHN N. HAZARD.

A new International Association for Juridical Sciences will be created soon out of the

International Committee of Comparative Law. This was the principal decision of the latter's Executive Bureau at its meeting of July 28-29, 1954, at Munich. In its new form it will parallel more closely the structure of the International Political Science Association and reach out to attract lawyers and political scientists interested in law, regardless of their prior concern with the comparative method. No individual memberships are planned as yet, however, for the American Foreign Law Association will remain the national representative for the comparatists in the United States, and individual Americans will participate in the work of the International Association through their national body.

To relate its work closely to the principal concern of UNESCO, namely underdeveloped areas, the new association will establish a two-year program of study of the impact upon an underdeveloped area of a Western legal system. The country chosen for study will be Turkey, and a preliminary meeting is planned for Istanbul in September, 1955, to prepare for a larger colloquium scheduled for Barcelona in September, 1956. The Barcelona meeting will also include panel discussions of the teaching of law as a social science on the basis of the report by Professor Charles Eisenmann published by UNESCO in July, 1954, and of the maxim, "*audi alteram partem*."

Barcelona panels will utilize the experience gained at Munich with two colloquiums held concurrently with the Executive Bureau meeting. One concerned the function and structure of comparative law centers. It was presided over by Professor Hessel E. Yntema of the University of Michigan and attracted some fifty representatives from a large part of the world. The other discussed a question posed by UNESCO, namely the method of implementing in domestic legislation obligations assumed in treaties. Professor G. T. Mangone of Swarthmore College presented the procedure in the United States.

A new Secretary General was elected to replace the retiring Professor René David. He is Professor André Bertrand, director of studies of the French National School of Administration. Dr. Kurt Lipstein of Cambridge was named director of research, while Professor Felipe de Sola Cañizares of Barcelona was delegated to prepare for publication a directory of comparative law centers throughout the world so as to facilitate interchange of views and cooperative research.—JOHN N. HAZARD.

The International Union of Local Authorities will hold its Twelfth Congress in Rome, Italy, September 26–October 1, 1955. The two principal subjects for discussion will be "Local Government Finance and Its Importance to Local Autonomy" and "Cultural Activities of Local Authorities." Mayors, city managers, other municipal officials, and students of local government are invited to attend. American municipalities are eligible to join the International Union of Local Authorities through the American Committee for International Municipal Cooperation. This will give their delegations at Rome official recognition and voting rights. Persons desiring to be kept up to date on future developments about the Rome Congress or wishing to join the International Union of Local Authorities are invited to write to the American Committee for International Municipal Cooperation, 1313 East 60th Street, Chicago 37.

The biennial convention of Pi Sigma Alpha was held on September 9, 1954, in conjunction with the annual meeting of the American Political Science Association in Chicago. The following officers were elected: president, J. Eugene Harley, University of Southern California; vice-president, Claude E. Hawley, Washington, D. C.; secretary-treasurer, Don L. Bowen, University of Maryland. Newly elected members of the executive committee with terms expiring in 1958 are: A. C. Breckenridge, W. Brooke Graves, and Egbert S. Wengert. Continuing as members of the executive committee with terms expiring in 1956 are: Mona Fletcher, Cullen B. Gosnell, and Charles W. Shull. Winners of Pi Sigma Alpha's first annual essay contest were: William C. Griffith, first prize (Emory University); Stanley Kravit, honorable mention (Rutgers University); and Nancy Whittier, honorable mention (Syracuse University). The first prize winner was awarded \$100; honorable mention winners received a choice of any two books cited for award by the American Political Science Association.—DON L. BOWEN.

The University of Minnesota held an Institute on Minnesota Government and Politics during the period July 19–30, 1954. Sessions of the institute were devoted to such issues as constitutional revision, responsible political parties, party designation of legislators, reapportionment, reorganization, financing the government, merit employment, judicial reform, local government problems, and citizen

participation. These issues were discussed by panels of public officials, leaders of civic groups, journalists, and educators.

The sixty-two persons who participated in the panels included the governor, the chief justice, the speaker of the House of Representatives, and about an equal number of legislators, state officials, civic leaders, and educators. Political science Professors William Anderson, Asher N. Christensen, Clarence C. Ludwig, Arthur E. Naftalin, and Lloyd M. Short participated in one or more of the panel discussions. George A. Warp, associate professor of political science, served as director of the institute.

Of the 204 persons who enrolled for the sessions of the institute, about one-fourth registered for academic credit. The occupations of those attending the institute included assessor, assistant dean, bacteriologist, budget examiner, businessman, civil service administrator, clerical worker, economist, housewife, journalist, justice of the peace, librarian, lobbyist, medical artist, medical technician, political party official, radio announcer, real estate broker, recreation director, school board member, singer, state legislator, student, teacher, university regent, and welfare worker. Those who attended the institute were enthusiastic in their comments. Most of them (85 per cent) indicated that they were definitely interested in attending another institute.—GEORGE A. WARP.

Supported by a grant from the Ford Foundation to the Social Science Research Council of New York, a Seminar in Political Behavior Research was held on the campus of the University of Michigan, June 21–August 13, 1954, under the joint sponsorship of the department of political science and the Survey Research Center. The purpose of the seminar was to stimulate interest in the quantitative study of political behavior. To this end a group of post-doctoral fellows from the field of political science were brought together in Ann Arbor. As a means of coordinating the activities of the group, a series of meetings was organized in which visiting scholars, political scientists, and other behavioral scientists resident at the University of Michigan participated. Formal presentations of research methodologies were made available through the University's Institute on Survey Research Techniques. Participants in the seminar were: Robert E. Agger, University of North Carolina; Heinz Eulau,

Antioch College; William Goodman, University of Tennessee; Robert E. Lane, Yale University; Daniel M. Ogden, Jr., State College of Washington; Stephen B. Sarasohn, Wayne University; Allan P. Sindler, Duke University; and John P. White, University of Michigan. The following served as guest lecturers: Samuel Eldersveld, Ronald Freedman, Gerald Gurin, Morris Janowitz, Dwaine Marvick, Norton Long, Neil Staebler, V. O. Key, Jr., LeRoy Ferguson, Herbert McCloskey, and Paul F. Lazarsfeld.

The thirteenth annual meeting of the Mid-

west Conference of Political Scientists will be held at Purdue University, May 5-7, 1955. Program suggestions should be sent to James Miller, Michigan State College, chairman of the program committee.

The Emory Institute of Citizenship, a campus activity for fifteen years before the war, was revived this fall with plans for two sessions during the year 1954-55. The subject of the institute will be "Education for World Affairs." Professor Cullen B. Gosnell, of the department of political science, is serving as general director.

OTHER ACTIVITIES

The commemorative course in Japanese Civilization sponsored jointly by the Duke University department of political science and the Japan Society was held during the second summer session. Of the ten advanced students who received scholarships, five were political scientists. They were: Yung Ping Chen, a candidate for the doctorate at the University of Maryland; Barbara F. Hampe, of Warren Wilson College, North Carolina; Joel D. Singer, candidate for the doctorate at New York University; Harold W. Sundstrom, graduate assistant in political science at Michigan State College; and Mrs. Edyth F. Winningham, of the faculty of Charlotte College, North Carolina. Two other political scientists attended all sessions of the course as registered auditors: Spencer Gervin, associate professor of political science at Hiwassee College, Tennessee; and Robert T. Hubard, assistant professor of English and government at Hampden-Sidney College. The five other holders of scholarships were: Dr. George Abernathy, professor of philosophy at Davidson College, North Carolina; Dr. Doris E. King, professor of history at Stephen F. Austin State College, Texas; Dr. Janet L. MacDonald, professor of history at Hollins College, Virginia; William H. Baskin, III, candidate for the doctorate in Romance languages, University of North Carolina; and James M. Clifton, graduate student in history at Duke University.

Indiana University has established a special program of public administration training for governmental employees in the Indianapolis area. The initial student group includes representatives of federal, state, and local agencies. The undertaking, developed by

the department of government in cooperation with the Division of Adult Education and Public Services, takes the University's facilities to the 20,000 government workers in Indiana's largest city. Current offerings include studies in supervisory training, administrative organization and methods, and public administration, in addition to a wide variety of courses regularly offered to over 2,000 students at the University's Indianapolis extension center.

New York University, the University of Ankara, and the Turkish Ministry of Education have established a three-year cooperative program designed to broaden and strengthen higher education facilities in Turkey. Under the terms of the agreement, the New York University Graduate School of Public Administration and Social Service will play a leading role in planning and developing curricula and research in public administration at the University of Ankara. Arrangements have also been made for research and study programs in the United States for Turkish professors, other faculty members, and their assistants. The program is being financed jointly by the Turkish Government and the Foreign Operations Administration of the United States Government.

Stetson University has announced the inauguration this year of an American Studies Program leading to the bachelor's and master's degrees. Dr. J. Ollie Edmunds, President of the University, stated that the program will aim to expose "the false and stupid hypocrisies of the Communist movement while teaching the development of American ideals and institu-

tions." The Charles E. Merrill Chair of American Studies has been created for this purpose and is named for the investment banker whose gift made the program possible.

Three \$4,000 post-doctoral fellowships in statistics are offered for 1955-56 by the University of Chicago. The purpose of these fellowships, which are open to holders of the doctor's degree or its equivalent in research accomplishment, is to acquaint established research workers in the biological, physical, and social sciences with the role of modern statistical analysis in the planning of experiments and other investigative programs, and in the analysis of empirical data. The development of the field of statistics has been so rapid that most current research falls far short of attainable standards, and these fellowships (which represent the fifth year of a five-year program supported by the Rockefeller Foundation) are intended to help reduce this lag by giving statistical training to scientists whose primary interests are in substantive fields rather than in statistics itself. The closing date for applications is February 15, 1955; instructions for applying may be obtained from the Committee on Statistics, University of Chicago, Chicago 37.

The Middle East Institute is preparing for publication an annual Survey of Research in Progress on the Middle East. Countries included in the survey are the Arab nations, Israel, Turkey, Iran, Afghanistan, North Africa, the Sudan, Ethiopia, and Eritrea. Persons engaged in research on the Middle East are urged to submit the following information: name, address, topic of investigation, sponsoring organization (if any), estimated date of completion, and pertinent comment on the nature of the research, sources being used, and method of approach. Correspondence should be addressed to: The Middle East Institute, 1761 N Street, N. W., Washington 6, D. C.

Arthur W. Bromage has been appointed by Governor Williams to Michigan's Commission on Intergovernmental Relations.

Maurice G. Burnside, formerly of the Marshall College political science department, has been elected to the U. S. House of Representatives from the Fourth Congressional District in West Virginia. Dr. Burnside represented the Fourth District in the Eighty-First and Eighty-Second Congresses.

Conley H. Dillon, professor and head of the department of political science at Marshall College, delivered a series of lectures on "Minimum Wage Laws and the Fair Labor Standards Act" at the 1954 American Federation of Labor School, held August 30-September 4, at Huntington, West Virginia.

Samuel J. Eldersveld, of the University of Michigan, completed a series of television programs on political parties during 1953-54. Several members of the political science department and other persons of political importance participated in the series with Professor Eldersveld. These programs will be released to educational television centers throughout the country.

Wesley R. Fishel, associate professor of political science at Michigan State College, spent the month of September in Saigon as consultant to the United States Special Technical and Economic Mission to the Governments of Cambodia, Laos, and South Vietnam.

George B. Galloway, senior specialist in American government and public administration, Legislative Reference Service, Library of Congress, has received a grant from the Ford Foundation to make a comparative survey of the legislative procedures of the United States and Great Britain, under the sponsorship of the National Planning Association. Dr. Galloway spent several weeks during the fall in London observing the House of Commons in action and interviewing various members and officials.

John H. Hallowell, of Duke University, gave the principal address at the annual commencement of the General Theological Seminary, New York City, in June.

Earl T. Hanson, of Duke University, again served as director of the International Studies Program for Foreign Students held at Duke for seven weeks during the summer. Forty-eight exchange scholars from twenty-one countries attended the program. Dr. Hugh Hall, also of the Duke political science department, served as one of the staff members of the program.

Richard H. Heindel, Dean of the College of Arts and Sciences and professor of history and government at the University of Buffalo,

has been named to serve on the Committee on International Exchange of Persons as one of the two representatives of the American Council on Education. The committee is responsible for guiding the selection of persons of professional status and advanced workers to receive grants under the Fulbright Act.

Gladys M. Kammerer, associate professor of political science at the University of Kentucky, was named by the Mayor of Lexington as co-chairman of the Greater Lexington Committee, created to study the urban problems of Lexington and Fayette County and to recommend solutions to the city and county governments. Ruth McQuown, research associate of the University of Kentucky Bureau of Government Research, was appointed executive secretary and research director for this committee.

Karl Loewenstein, professor of political science at Amherst College, was a guest professor during the second semester of the academic year 1953-54 in the law school at the University of Marburg, Germany. He also lectured at the Universities of Hamburg, Göttingen and Heidelberg. In August, he attended the Congress of the Academy of Comparative Law where he was general reporter on the subject, "The Legal Status of Political Parties."

Joe W. Neal, special instructor in government and director of the International Advisory Office at the University of Texas, spent eight weeks during the summer of 1954 on a tour of the Middle East under the sponsorship of the Friends of the Middle East.

James E. Pate, of the College of William and Mary, is serving as chairman of the Williamsburg City Planning Commission and as a member of the Colonial Regional Planning Commission recently created to develop a plan and to draft a zoning ordinance for the protection and development of the historic area including Jamestown, Yorktown, and the environs of Williamsburg.

George A. Peek, Jr., assistant professor of political science at the University of Michigan, acted as coordinator and moderator for a series of six television programs on "Tension Areas in the Far East" during the summer of 1954. Mr. Albert Ravenholt of the American University's field staff was the visiting guest for

each program. All programs were recorded on kinescope and will be sent to educational television stations throughout the country.

Joseph S. Roucek, professor and chairman of the departments of political science and sociology at the University of Bridgeport, lectured at the Air War College, Maxwell Air Force Base, Alabama, in October on "The Commitments of the USSR and Her Satellites."

William H. Simpson, of Duke University, spent the summer in England making a study of installment buying and credit practices of British business.

Dwight Waldo has contracted to write a trend report on American political science for the International Political Science Association. He invites correspondence concerning both intellectual currents of the present and recent past and information concerning research in progress, particularly group research. Correspondence should be addressed to: Department of Political Science, University of California, Berkeley 4.

Harvey Walker, of the department of political science at the Ohio State University, spent the past summer in Europe at the invitation of the Government of Western Germany, studying legislative and administrative institutions in Belgium, Switzerland, and France, as well as in Germany. In August Professor Walker served as a consultant at the National Conference of Professors of Educational Administration held at the University of Denver.

Henry Wells, associate professor of political science at the University of Puerto Rico, presented three papers on recent constitutional and political developments in Puerto Rico at a symposium held at The Hague, September 6-11. The subject of the symposium was "Developments toward Self-Government in the Caribbean Commission Territories." The Netherlands Universities Foundation for International Co-operation sponsored the meetings, which were attended by participants from British, French, and Dutch universities, as well as by Dr. Wells.

Robert R. Wilson, of Duke University, read a paper on "Foreign Economic Interests before National Jurisdictions: The Role of

Commercial Treaties" before the panel on public international law at the Fourth International Congress of Comparative Law held in Paris, August 1-7, 1954. Professor Wilson

also attended, as a delegate of the American Branch, the forty-sixth annual meeting of the International Law Association held at Edinburgh, August 8-14.

APPOINTMENTS AND STAFF CHANGES

Orville Alexander, chairman of the department of government at Southern Illinois University, has been on leave during 1954 to serve as director of research for the Ohio State School Survey Committee.

Totton J. Anderson, associate professor of political science at the University of Southern California, has been granted a special leave of absence to serve as Associate National Director of the Citizenship Clearing House for 1954-55. The Maurice and Laura Falk Foundation of Pittsburgh sponsors the Citizenship Clearing House, with offices located in the Law Center of New York University.

Morley Ayearst has been appointed acting chairman of the department of government in Washington Square College of Arts and Sciences, New York University. Professor Ayearst spent last year in the British West Indies studying their politics and administration under a Fulbright grant.

James H. Bahti has resumed his duties as assistant professor at the Michigan College of Mining and Technology after spending the past year in graduate work at the University of Michigan.

Chester W. Bain, research assistant in the Bureau of Public Administration of the University of Virginia, has been appointed acting assistant professor of political science for the academic year 1954-55.

Lawrence L. Barber, of Trinity College, recently began a one-year assignment with the United Nations Public Administration Institute in Rio de Janeiro.

Ernest R. Bartley, associate professor of political science at the University of Florida, has received a Ford Foundation grant and is spending the year 1954-55 in Washington observing the operations of federal government agencies.

Paul Beckett has been promoted to a full professorship in public administration at the State College of Washington.

Robert P. Benedict, of Boston University, spent the summer doing research and lecturing in Europe. During the past academic year he was acting chairman of the department of government at Boston University.

A. LeRoy Bennett, recently of Michigan State College, has been appointed professor and acting head of the department of political science at Drake University.

W. E. Benton, formerly assistant professor of government at Southern Methodist University, has joined the staff of the University of Houston as assistant professor in the department of government.

Loren P. Beth is a visiting professor of political science at the University of Florida during 1954-55.

Roy G. Blakey, of the University of Minnesota, has returned from the University of Ankara, Turkey, where he has been visiting professor of public finance during the past three years.

John C. Bollens has been appointed acting director of the Bureau of Governmental Research at the University of California (Los Angeles). He will serve as director during 1954-55 while Winston W. Crouch is on sabbatical leave in India.

John A. Bond has joined the staff of the department of government at Southern Illinois University.

Hugh A. Bone is on sabbatical leave from the University of Washington to study under a Ford Fellowship for the Advancement of Teaching. Major emphasis of Professor Bone's research is upon Congress, and his headquarters in Washington is the office of Senator Henry M. Jackson.

Robert P. Boynton, formerly teaching fellow at the University of Michigan, has been appointed instructor in the department of history and government at Wells College.

Leo Cagan has returned to the political science department at San Francisco State College after a year as public administration specialist with the United Nations Secretariat.

Lynton K. Caldwell, of Syracuse University, succeeded Marshall E. Dimock as co-director of the Public Administration Institute for Turkey and the Middle East at Ankara on August 10, 1954. Professor Caldwell's assignment in Turkey is for one year.

Francis Michael Carney has been appointed instructor in political science at the University of California (Riverside).

H. Paul Castleberry has been promoted to an associate professorship at the State College of Washington. He is currently serving for the second year as a Fulbright lecturer at the American University at Cairo, Egypt, and will resume his duties at the State College in the fall of 1955.

David T. Cattell has been promoted to assistant professor of political science at the University of California (Los Angeles).

Floyd Cave, professor of government at San Francisco State College, is on sabbatical leave during the fall semester of 1954-55, studying political developments in Western Europe and Great Britain.

Warner O. Chapman has been promoted to the rank of assistant professor of government at Indiana University.

Harwood L. Childs has resumed his duties at Princeton University after a year's leave of absence in Brazil where he served as lecturer in public relations at the School of Public Administration in Rio de Janeiro sponsored jointly by the Brazilian Government and the United Nations.

Asher N. Christensen, of the University of Minnesota, has been awarded a Fulbright lectureship to the United Kingdom for the 1954-55 academic year. He is teaching at University College, Aberystwyth, Wales. During the months of March and April, 1955, Professor Christensen will teach at the Salzburg Seminar in American Studies.

David Cooperman, of the department of political science at the University of Minnesota, has been granted a Rockefeller Founda-

tion fellowship to study the relationship between legal systems and political ideologies of totalitarian states. His work is being done at Columbia University.

Claude B. Cross has been reappointed for an additional year as acting instructor in the field of international relations at the State College of Washington.

Larry Dennis has been appointed administrative assistant to the President of the Pennsylvania State University.

John C. Donovan has been promoted to an associate professorship in political science at Bates College. During the past summer session, Dr. Donovan was a visiting professor at the University of Maine.

James W. Drury, who has been awarded a Fulbright fellowship in Japan, is on leave from the University of Kansas during the current academic year.

William Ebenstein, of Princeton University, was a visiting professor at the University of Michigan during the past summer session.

David G. Farrelly has been promoted to associate professor of political science at the University of California (Los Angeles).

Vernon L. Ferwerda has been appointed assistant professor of government at Trinity College, Hartford, Connecticut.

Vincent T. Finneran, formerly financial management assistant in the U. S. Public Health Service, has been appointed research assistant in the Bureau of Public Administration of the University of Virginia.

William S. Flash has been promoted to assistant professor of government at Bowdoin College, effective July 1, 1954.

Ossip K. Flechtheim, who was in Berlin during 1951-1954, has resigned his position at the Hochschule für Politik and has accepted an appointment as visiting professor in the department of history and government at the University of Kansas City.

Julian F. S. Foster, formerly visiting lecturer in political science at the University of Michigan, has received a teaching fellowship

in the department of political science at the University of California (Los Angeles).

Guy Fox is on leave from Michigan State College during the academic year 1954-55 as a Fulbright professor of political science in Japan.

Henry C. Galant, who taught at Connecticut College last year, has accepted a position as associate professor and chairman of the department of political science at Skidmore College, Saratoga Springs, New York.

Wallace B. Graves, of DePauw University, was promoted to associate professor of political science, effective July 1, 1954.

Priscilla M. Greeley, recently of Wilson College, has accepted an appointment as assistant professor of political science at Skidmore College, Saratoga Springs, New York.

Jay V. Groves has recently been appointed professor of political science and sociology at Potomac State College, Keyser, West Virginia.

Nathan Hakman, who recently received the doctorate at the University of Illinois, has been appointed instructor in political science at Michigan State College.

Owen A. Haley has retired after more than a quarter-century of service in the department of government at the City College of New York.

Earl T. Hanson has been appointed Director of Admissions of the Graduate School of Arts and Sciences at Duke University. He will continue his teaching in the department of political science on a part-time basis.

Philip Haring, who served as lecturer in political science at Northwestern University during the past year, has accepted a position as assistant professor of political science at Knox College.

Heber R. Harper, formerly instructor of history and government at Wells College, has been appointed assistant professor of political science at Dickinson College.

Frederick H. Hartmann resumed his duties as associate professor of political science at

the University of Florida in September following one year's leave of absence spent in Germany under a Fulbright research award.

Lashley G. Harvey has resumed his duties as chairman of the department of government and director of the Bureau of Public Administration at Boston University after a year's assignment with the United Nations Public Administration Institute for Turkey and the Middle East at Ankara.

William C. Havard, Jr. is serving as acting director of the Public Administration Clearing Service at the University of Florida during the current academic year.

Carroll Hawkins, on sabbatical leave from Michigan State College, is spending this year in Western Europe and in Mexico studying the ideological forces affecting the labor movement.

Ferrel Heady has returned to his duties at the University of Michigan after spending fourteen months as Director and Chief Adviser, Institute of Public Administration, University of the Philippines.

Samuel Hendel has resumed his regular duties in the department of government at the City College of New York after a year's study in Europe on a Ford Foundation fellowship.

Norman Hill, of the University of Nebraska, will be visiting professor of political science at the University of Washington from January 1 to June 15, 1955.

Ivan H. Hinderaker has been promoted to associate professor of political science at the University of California (Los Angeles).

Willard N. Hogan is serving this year as acting chairman of the social science division, State University Teachers College, New Paltz, New York, while Eugene P. Link is lecturing at the University of Annamalai, India, under a Fulbright grant.

John A. Houston, formerly associate professor of political science at the University of Mississippi, has accepted the chairmanship of the department of political science at Knox College, Galesburg, Illinois.

Ronald F. Howell has been promoted to assistant professor of political science at Emory University.

Clyde E. Jacobs has been promoted to assistant professor of political science at the University of California (Davis).

James Jarvis, formerly of the University of Illinois, is a visiting instructor in public administration and local government at the University of Kansas.

Morton A. Kaplan, formerly visiting professor of political science at Haverford College, has accepted a position with the Brookings Institution, Washington, D. C.

Clifford Ketzels has joined the staff of the department of political science, University of Kansas, as an assistant professor. Dr. Ketzels spent two years with the State Department and two years with the Institute of Public Affairs prior to completing his graduate work at the University of California.

Joseph B. Kingsbury returned to Indiana University in August after a year in Turkey, where he served as lecturer in personnel administration in the United Nations Public Administration Institute for Turkey and the Middle East. On his way home he attended the conference of Arab states on public administration at the American University at Beirut, July 28-30.

William F. Larsen, assistant professor of political science, University of Florida, has been awarded a research fellowship with the National Municipal League, beginning July 15. Prior to assuming his duties under this appointment, Professor Larsen was in New York City as a research fellow with Merrill, Lynch, Pierce, Fenner and Beane to study bond financing.

Luke T. Lee, assistant professor of history and government at the St. Lawrence University, has been appointed as special consultant for the Harvard Law School-Israel Cooperative Research for Israel's Legal Development.

Avery Leiserson, professor of political science at Vanderbilt University, was a visiting professor at the University of Washington during the autumn quarter.

Benjamin E. Lippincott, of the University of Minnesota, has been granted a sabbatical furlough for the current academic year, for the purpose of completing a volume on *The State in the Modern World*.

William S. Livingston has been advanced to associate professor of government at the University of Texas.

John Logue, who taught at Notre Dame last year, has been appointed instructor in the department of political philosophy at Fordham University.

Richard P. Longaker, who recently received the Ph.D. degree from Cornell and served as an instructor at Kenyon College, has joined the faculty of the University of California (Riverside) as assistant professor of political science.

Arthur W. Macmahon returned in September to his position on the graduate faculty of political science at Columbia University after a half-year's leave of absence spent largely as visiting professor at the College of Europe, Bruges, Belgium, broken in the spring by a month's lecturing at the Salzburg Seminar in American Studies.

Mavis A. Mann is on leave from West Virginia University during 1954-55 to lecture at Keio University, Tokyo, under a Fulbright award.

George Manner resumed his duties in the department of political science at the University of Illinois in September after a year's sabbatical leave spent in the study of international law at The Hague.

Lucian Marquis has been appointed instructor in political science at the University of Oregon.

Charles E. Martin, of the University of Washington, has been awarded a Rockefeller grant and is on sabbatical leave this year. He will spend five months in Japan and Southeast Asia followed by study in India and the Middle East.

Curtis Martin is the newly designated chairman of the department of social sciences, University of Colorado.

Dwaine Marvick, of the University of Michigan, has accepted an appointment as assistant professor of political science at the University of California (Los Angeles).

Bruce B. Mason is visiting assistant professor of political science at the University of Florida during 1954-55.

Charles A. McCoy, formerly assistant professor of government at Worcester Polytechnic Institute, has been appointed research assistant in the Bureau of Public Administration of the University of Virginia.

David S. McLellan has been appointed assistant to the dean of freshmen and instructor in political science at Yale University.

George McTurnan Kahin has been promoted to associate professor of government at Cornell University.

Robert O. McWilliams, formerly of Yale University, has been appointed assistant professor of government at Miami University, Oxford, Ohio.

James H. Meisel has returned to the University of Michigan after spending a year in Europe doing research.

Thomas Patrick Melady, of Norwich, Connecticut, and Washington, D. C., has accepted a position as a staff officer with the Foreign Operations Administration in Washington.

Warren Miller, formerly study director in the Survey Research Center at the University of Michigan, has been appointed assistant professor of political science at the University of California at Berkeley.

William Monat, formerly of the University of Minnesota, has been appointed to the teaching staff at Wayne University.

Gerhart Niemeyer, member of the staff of the Council of Foreign Relations, New York, has been appointed visiting lecturer in political science at Yale University.

C. Bickford O'Brien, chairman of the department of history and political science, University of California (Davis Campus), is

spending his sabbatical leave this year in Europe.

Maurice E. O'Donnell, who received the doctorate at the University of Wisconsin in 1954, has been appointed instructor in political science at Michigan State College.

Edward S. Overman is on leave from his position as associate professor of political science at the University of Virginia during the academic year 1954-55 for study at Harvard University and Washington, D. C., under a Ford Foundation faculty fellowship.

Gene Overstreet, of Michigan State College, is spending a second year in India as a Ford fellow.

Don Pilcher has joined the Governmental Research Center staff at the University of Kansas as assistant director for child research. Mr. Pilcher has his M.S.W. degree from Kansas University and several years of practical experience in Kansas City and Wichita.

Ira Polley, formerly regional chairman of the Minneapolis Wage Stabilization Board and assistant professor at Michigan State College, has joined the faculty of the department of public administration at Wayne University.

R. Vance Presthus, associate professor of political science, Michigan State College, is serving as research director of the United Nations Institute of Public Administration in Ankara, Turkey, during the academic year 1954-55.

Nathaniel S. Preston is serving for a second year as visiting instructor in political science at West Virginia University.

Emmette S. Redford, professor of government at the University of Texas, is serving during the fall semester as visiting professor at Duke University where he is offering courses in public administration.

James R. Roach has been advanced to associate professor of government at the University of Texas.

James S. Roberts, of the University of North Carolina, is serving as assistant professor in

the departments of political science and of the Scandinavian Area Studies at the University of Minnesota during the academic year 1954-55.

William H. Roberts, of the Catholic University of America, has received a grant—sponsored by the Rockefeller Foundation—from the School of Advanced International Studies of the Johns Hopkins University for a study on "The Theory of International Politics."

Leo C. Rosten, member of the board of editors of *Look Magazine*, has been appointed visiting lecturer in political science at Yale University.

Dankwart A. Rustow, assistant professor of politics at Princeton University, has returned from a year abroad, spent in research on political conditions in Turkey, Lebanon, Syria, Iraq and Israel. He lectured at Istanbul University, at Robert College and at the American University of Beirut.

Ake Sandler has been promoted to the rank of associate professor in the department of government at Los Angeles State College. During the 1954 summer session he was a visiting member of the faculty at the University of Minnesota.

Fayez Sayegh, social affairs officer of the Division of Human Rights, United Nations, has been appointed visiting lecturer in political science at Yale University.

Herbert Pierre Secher, who recently received his Ph.D. from the University of Wisconsin, has accepted a position as instructor in the department of political science at Western Reserve University.

Walter R. Sharp has been granted a year's leave of absence from Yale University to accept an appointment as co-director of a new Institute of Public Administration to be established in Cairo under the joint sponsorship of the United Nations Technical Assistance Administration and the Government of Egypt. After completion of this assignment, Professor Sharp will spend the summer of 1955 in Europe doing research on the decision-making process in the United Nations system. He plans to resume his regular duties at Yale at the beginning of the fall semester of 1955-56.

Foster H. Sherwood, of the University of California (Los Angeles), taught at Northwestern University during the 1954 summer session.

Edgar L. Shor has joined the faculty of Indiana University as instructor in government.

Marshal D. Shulman, former special assistant to the Secretary of State, has assumed his new duties as associate director of the Russian Research Center at Harvard University.

John F. Sly, professor of politics, Princeton University, has been appointed Director of Studies for the Temporary Commission on Educational Finances of the State of New York.

John Malcolm Smith, formerly of Columbia University and the Foreign Policy Association, has accepted an assistant professorship in political science at the University of California (Riverside).

David Spitz, of the Ohio State University, was a visiting member of the Hunter College staff during the summer session, 1954.

Edwin O. Stene, professor of political science at the University of Kansas, is on leave for a year at the University of the Philippines where he is directing the Research Bureau of the University and consulting on administrative problems of the Philippine Government.

T. Noel Stern has resigned his position at Boston University to become director of the Fondation États Unis, Paris. Professor Stern had been a Fulbright lecturer in France during 1952 and was acting director of the Fondation during the summer of 1952.

John E. Stoner has been promoted to a full professorship in government at Indiana University.

William L. Strauss has joined the Ford Foundation's Fund for the Republic as a consultant.

Marvin R. Summers, a graduate of the University of Iowa, has accepted a position in the department of history and political science at

Wisconsin State College in Milwaukee. For the past two years, Mr. Summers has been an instructor at the Michigan College of Mining and Technology.

Joseph L. Sutton has been promoted to the rank of assistant professor of government at Indiana University.

Thor Swanson has been appointed instructor in public administration at the State College of Washington.

Charles H. Titus, of the University of California (Los Angeles), has been on sabbatical leave in Europe since June, 1954. He will resume teaching in the spring semester.

Arthur C. Turner has been appointed associate professor of political science and chairman of the division of social sciences at the University of California (Riverside).

Paul W. Van der Veur has been appointed instructor in political science at Yale University.

P. J. Vatikiotis is on military leave from his instructorship in the department of government at Indiana University.

Herbert Von Beckerath, professor of economics and political science at Duke University, has returned from a summer in Germany where he lectured at the University of Tuebingen and at the Institute of Politics in Munich.

E. V. Walter, formerly of Wisconsin State College, Eau Claire, has been appointed assistant professor of political science at Ohio Wesleyan University.

Lawrence C. Wanlass is on leave of absence this year from Mount Holyoke College to study communism in Southeast Asia under a Fulbright research grant. He is associated with the University of the Philippines in Manila.

John Harvey Wheeler, Jr., formerly a member of the Johns Hopkins University faculty, has been appointed associate professor of political science at Washington and Lee University, effective in September, 1954.

Urban Whitaker, of the University of Washington, has accepted an instructorship in political science and international relations at San Francisco State College, beginning in the fall semester, 1954.

Arthur Bruce Winter, who was recently associated with the Bureau of Public Administration at the University of Tennessee, has been appointed assistant professor of political science at the University of Nebraska, effective in September, 1954.

S. Joseph Wodka, former graduate student in political science at the University of Michigan, has been appointed instructor in the department of government at the University of Detroit.

IN MEMORIAM

FRANZ L. NEUMANN. The inexplicable swerve of a car in which he was riding as a guest of friends on a wet road in Switzerland on September 2, 1954, ended in mid-career the life of a singularly potent teacher and writer in the fields of political theory and comparative institutions. At the time, Franz Neumann was about to return to his post at Columbia University as professor of government after a sabbatical leave spent partly on the faculty of the Free University of Berlin. Behind his seven remarkably successful years in Columbia's graduate faculty of political science there had been three periods of richly varied and maturing preparation.

Born in Upper Silesia on May 23, 1900, Neuman studied law at the Universities of

Breslau, Leipzig, Rostock, and Frankfurt am Main, receiving the J.D. degree from Frankfurt in 1923. He had already had two years of training as Referender; this seasoning was resumed in the period 1924-27 after a year as a university assistant in international law. After the completion of his second academic examination in 1927 he became a member of the Berlin bar, specializing in labor and cartel law. Meanwhile he lectured in the Labor Academy of the University of Frankfurt am Main and in the Deutsche Hochschule fuer Politik in Berlin. Moving to England in 1933, Neumann spent three student years at the London School of Economics with emphasis upon the history of political theory; he received the degree of Ph.D. in 1936. His subsequent career was

in the United States, first as a member of the Institute of Social Research during its location at Columbia. In the war years he served in the Board of Economic Warfare and later in the Office of Strategic Services in charge of research on central Europe. Subsequently he was for a time a chief analyst in the State Department's Office of Research and Intelligence. Meanwhile, among other lecturing assignments, he participated in the Navy Department's School of Military Government at Columbia and in the early stages of the development of the School of International Affairs. After 1947 he was a permanent member of the graduate department of public law and government.

By the time of his death Professor Neumann had become the central pillar in the teaching of political theory at Columbia. The mere fact that at least a score of dissertations were in various stages of progress under his direction

when he died was a clue to his dynamic role as a teacher. It would be an error to say that he had or sought disciples, but the number of his true followers was unusual. Much of his appeal was rigorous intellectual vitality combined with moral earnestness but with them went personal interest and affection. He was downright but subtle; sure but questioning; and his grounding in history suited his emphasis upon the interaction of political thought and political reality in times and places. His writings included the well-known *Behemoth: The Structure and Practice of National Socialism*, originally published in 1942, a critical edition of *The Spirit of the Laws* in 1949, and at the time of his death the Free Press, Glencoe, was preparing to bring out in book form certain of the many essays that have revealed the force and range of his mind and interests.

—ARTHUR W. MACMAHON.

1955 CONGRESSIONAL INTERNE PROGRAM

Applications for the 1955 Congressional Intern Program will close on February 1, 1955. The primary purpose of the Congressional Intern Program, now in its second year of operation, is to enable young political scientists and journalists to gain the practical experience of working as staff members of congressional committees and in the offices of House and Senate members. Next year ten internships will be awarded—five for those with graduate training and/or teaching experience in political science and five for journalists or young teachers in schools of journalism. The stipends are \$4,000 (tax-free, according to current rulings), plus travel expenses to and from Washington, D. C., for each award winner.

The program will commence on November 1, 1955, with one month of work in the Legislative Reference Service of the Library of Congress. This will include both a general orientation on the activities of the Legislative Reference Service and an attempt to prepare the internes for their future work on committee staffs, with senators and with members of the House of Representatives. Individual projects will be assigned in the Legislative Reference Service according to the interests and objectives of each interne. Frequent group meetings of the internes will be held, enabling the exchange of experiences and the discussion of legislative problems as well as furnishing the opportunity to meet informally with House and Senate members and their staffs.

Following the month's service in the Legislative Reference Service, the internes will divide the next eight months equally between two active staff assignments. These assignments will be worked out with the aim of providing experience in both House and Senate operations and in both committee work and the work of a member's office. As far as possible, each interne will be allowed a free choice with respect to his assignments. The Association office will advise the internes which committees and members of Congress might provide the richest experience in terms of the interest of the interne, as well as which offices have

specifically requested that they be assigned internes. The number of requests so far exceeds the number of internes that no difficulty is anticipated in arranging stimulating assignments for the entire group.

Applications should be submitted to the chairman of the department of political science in the case of those who have done graduate work and/or teaching in political science; and to the dean or director of the school of journalism for teachers in schools of journalism. Working journalists should submit their applications through their editor, publisher, or supervisory official at the magazine, radio, or television station where they are working. Preference will be given to applicants in the age group 25 to 30 and preference will be given to those who have not had the opportunity to work or live in Washington, D. C. The following types of experience and training are suggestive rather than binding: (1) completion of doctorate in political science; (2) completion of two years of graduate work in political science, plus one year of experience in politics, teaching, or public administration; (3) undergraduate major in political science and law degree; or (4) A.B. degree with honor average in political science and practical experience on a newspaper or with radio and television (applicants will be considered only if they are currently active in the field and will be able to obtain leaves of absence).

The Association is again asking the chairman of each department of political science and the supervisors in the case of journalists to recommend the *one* candidate deemed best qualified for a Congressional Internship. These recommendations should reach the Association office by February 15, 1955, and the names of the successful applicants will be announced during April, 1955.

The program will commence on November 1, 1955 and continue through July 31, 1956. Further information and details concerning the Congressional Intern Program may be secured by writing to the Association office, which will also supply application forms.

SPECIAL ANNOUNCEMENTS

Suggestions Requested by Nominating Committee

The Committee on Nominations of The American Political Science Association invites all members to suggest persons for nomination as officers of the Association. The offices to be filled are: President-Elect, three Vice Presidents, Secretary, Treasurer, and eight members of the Council.

Last year's Committee received sixty-four letters which represented the combined suggestions of about two hundred members of the Association. The Committee commented in its report: "Obviously the degree of participation depends upon the initiative of the members. In the present instance a comparatively small percentage of the total membership of the Association availed itself of the opportunity. About one-fifth of these submitted suggestions after the deadline set for their receipt, namely, February 1. If the apathy which is indicated by the non-participation is to any degree due to the existence of a feeling that suggestions are without effect upon the decision of the committee, it may be important to make it clear that such a feeling is totally without justification in so far as the experience of the present committee may be regarded as typical."

Please send your suggestions and with them any additional comments you care to make to Norman J. Padelford, Massachusetts Institute of Technology, Cambridge, Massachusetts no later than February 1, 1955.

Program for 1955 Annual Meeting

All members of the Association are invited to send suggestions on topics for the 1955 annual meeting program and comments on panel procedure to Weldon Cooper, University of Virginia, Charlottesville, Virginia, chairman of the Program Committee.

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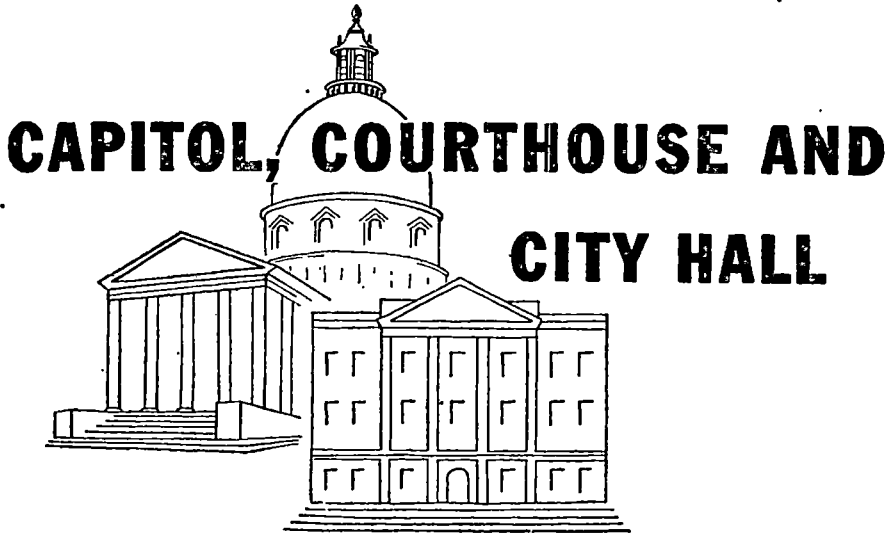


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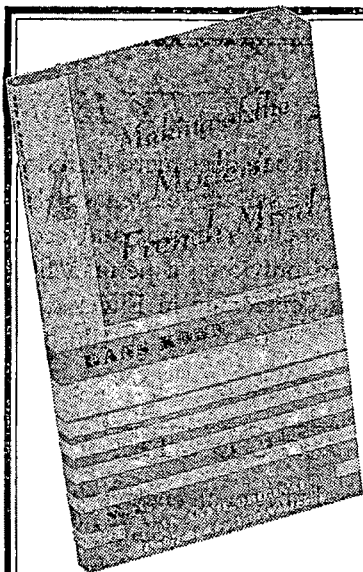
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